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THE IOWA JOURNAL OF HISTORY  
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THE STATE HISTORICAL SOCIETY OF IOWA

THE  
IOWA JOURNAL  
OF  
HISTORY AND POLITICS

BENJAMIN F. SHAMBAUGH  
EDITOR

VOLUME XXXI  
1933

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*of*  
History and Politics

JANUARY 1933



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BENJAMIN F. SHAMBAUGH                      *EDITOR*  
RUTH A. GALLAHER    *ASSOCIATE EDITOR*

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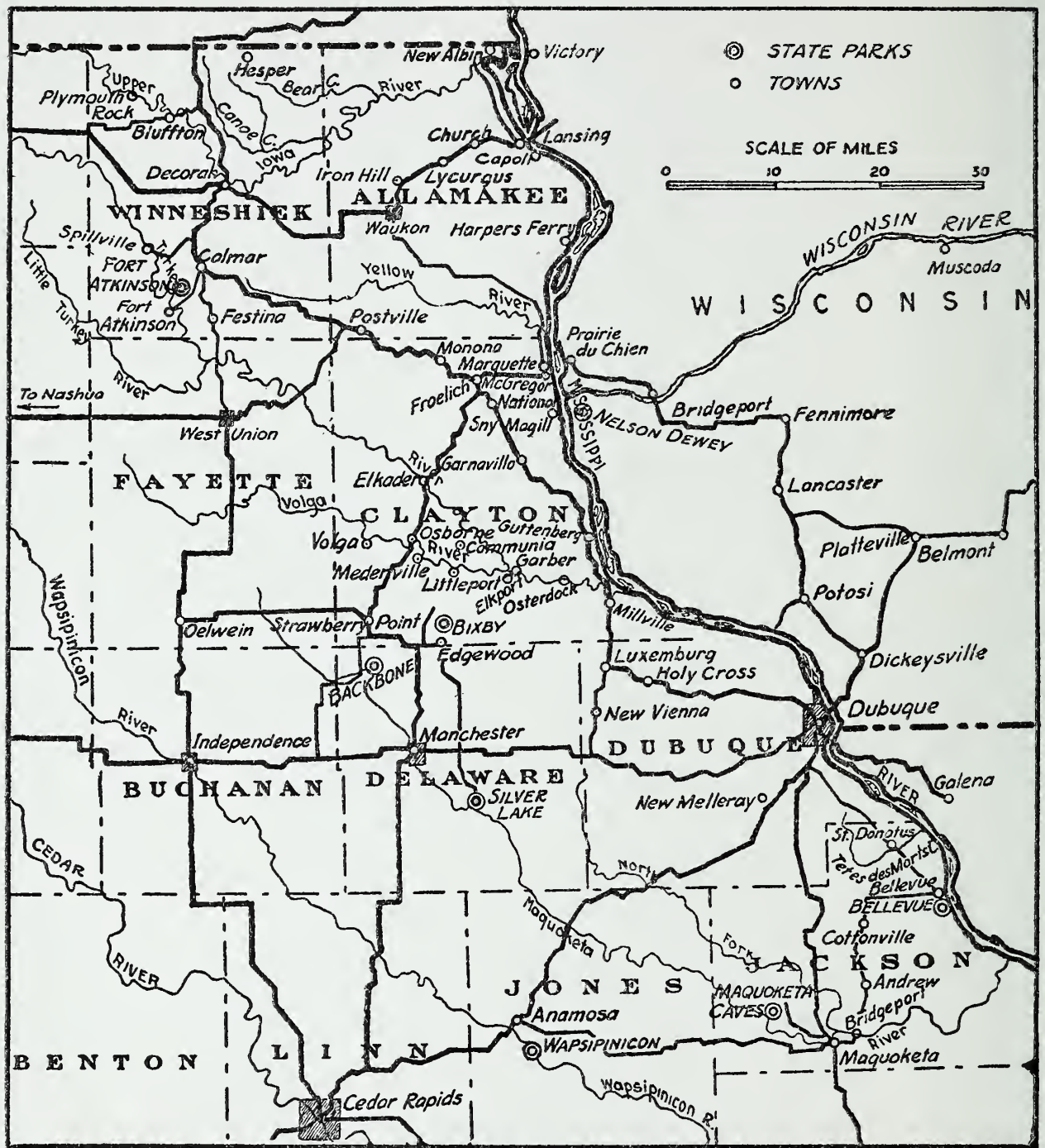
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VOL. XXXI



NORTHEASTERN IOWA



## THE GEOLOGY AND TOPOGRAPHY OF NORTHEASTERN IOWA

For our present purpose we may define northeastern Iowa somewhat arbitrarily as the region extending from the northeastern corner of the State south beyond McGregor to Dubuque and Bellevue, west and southwest across Allamakee and Winneshiek counties to West Union, Independence, Anamosa, and Maquoketa. This area includes three sections — the irregular triangle of rough, broken country just west of the Mississippi River, long known as the driftless area; a strip of scarcely less rugged land farther west, once occupied by the second ice sheet; and, still farther west, the more level plains of the later glacial drift.

The topography of the more rugged portion is controlled almost entirely by the action of destructive agents on bedrock and overlying loose material; in other words, it is strictly an erosional topography. On the other hand, the topography of the level plains beyond the hills is still constructional, determined very largely by the original forms of the drift sheet.

### THE GEOLOGIC SETTING

The geologic history of northeastern Iowa is of abounding interest because it shows us a picture of the development of living things in those far-off youthful years of our earth. The beginnings of life, perhaps along the shores of the continents, are shrouded in mystery. Indeed it is estimated that life — that strange something that separates us from the inanimate rocks — had traveled 90 per cent of its long journey from the first shapeless cell to man before the

known history of northeastern Iowa began. Even here, however, we may find many traces of the abundant life that peopled those ancient oceans, while the lands were probably still barren wastes. We may see that life continually changing, by ceaseless creation of new types and equally ceaseless abandonment of the old. We watch in imagination the ancestors of the pearly nautilus skim over the sea in search of prey or we gaze at the great colonies of horn corals that peopled the ocean floor. In this way we may gain some comprehension of the activities of a time that preceded our own by countless centuries.

The history of geologic development is of interest also because of the story it tells of physical conditions prevailing while the Upper Mississippi Valley was in process of formation. We recreate in scientific imagery calm seas basking under smiling sunshine. Again we see storms raging over sandy deserts, wide floods sweeping loads of rock waste back to the oceans whence they came.

Climatic conditions were somewhat similar to those of the present, except that there seem to have been no definite climatic zones. The waters of these earlier seas apparently resembled those of modern seas in temperature and chemical character. The processes of rock formation and rock destruction went on much as do those processes in the modern world.

It is reasonably certain that plants and animals lived out their life stories in much the same manner as do similar types of life today. The lack of land vegetation in the earliest periods of our history naturally affected conditions and processes of the time.

To the observant student or layman interested in land forms and their development the high ridges or deep valleys of northeastern Iowa offer a wide open book, to be read with endless delight. No part of the central United



States excels this region in the romantic charm afforded by sharp contrasts between deep, rocky gorges and wide, gently sloping plains, between shady, mossy vales and wind-swept prairies flaunting their seasonal succession of bloom. It is this marvelous alternation of hill and valley, of rocky crag and grassy slope, that makes this area merit the name “the Switzerland of Iowa”, applied to it many years ago by Doctor Samuel Calvin.

*Divisions of Geologic Time.*—Just as political history is divided into periods, so in the study of geologic history we must, for the sake of convenience, divide time into eras and lesser divisions. But back beyond the limits of geologic time, before we can read the record with any degree of clearness, were immense eras when the world was in the making. The earliest era (Archeozoic) of which any definite record is known is not represented by any rocks that are exposed in Iowa. The second great era (Proterozoic) is known in Iowa by only one formation—the Sioux quartzite—which is exposed in the northwestern two or three sections of the State and is reached in a few wells in other places, as at Lansing, Decorah, and elsewhere. The third great era of time is known as the Paleozoic, which means “old life”. This is the oldest era whose rocks are found within the limits of our area. The Paleozoic Era is divided into a number of periods. The rocks of the older periods of this era are exposed in northeastern Iowa, but farther west and south they are buried beneath younger deposits. The periods in which we are most interested, in order from older to younger, are the Cambrian, the Ordovician, the Silurian, and the Devonian, the names being taken from regions in Britain where they were first studied. These periods we shall describe below in some detail.

The fourth era (Mesozoic) is not represented in north-

eastern Iowa. The fifth (Cenozoic) is that which includes the Pleistocene or glacial period. Pleistocene means “the most of recent life”, and a large number of its life forms — especially those of the later Pleistocene — are still in existence or have become extinct in very recent time, some since white men came to America. The deposits of the glacial period are, therefore, of supreme importance to Iowa, because they determine the fertility of the soil and its usefulness to man.

A very interesting and natural question that may arise in our minds is one regarding the length of these eras. Geologic clocks differ, but one estimate, perhaps as good as any, assigns 800 million years to the first, 650 million to the second, 350 million to the third, 140 million to the fourth, and 60 million to the fifth, the one in which we live.

*The Form of the Geologic Record.*— We are accustomed to expect records of historic events. In the case of geologic history we may ask, what is the form of the record? In the first place we have the beds of rock themselves — the sedimentary strata, which were formed under water. Iowa bedrock consists exclusively of sediments — rock laid down under water, or more rarely on land, in nearly horizontal layers. These consist of sandstones, limestones, or shales. Breaks in strata also give a record of movements or displacements of beds and of erosion or destruction of formations or parts of them, so that successive layers frequently do not lie in the original position on each other. Again, impressions or remains of hard parts of animals or plants which are present in the rocks tell their own story of the life of ancient seas and lands.

#### HISTORY OF THE PALEOZOIC ERA

*The Cambrian Period.*— Enough has been said to show that the earth was well along in its course when the earli-



est known deposits of northeastern Iowa were laid down. The rocks of this region are the oldest of the Iowa strata, with the exception of the Sioux quartzite in the northwest corner of the State. A full thousand feet of these Cambrian beds is present beneath the hills of New Albin, but only one-third of this thickness is exposed above the level of the Mississippi River. Because of the gentle southwesterly dip of the strata of northeastern Iowa, strata that are exposed in the northeast counties are buried thousands of feet in the southwestern part of the State.

The life of Cambrian time, both plant and animal, was almost entirely marine. Plant life must have been plentiful, for in the long run animal life depends on vegetation, and animal life was marvelously abundant in the Cambrian sea. When the first scenes of the life drama of northeastern Iowa open, during Cambrian time, all the great groups of invertebrate animal life are present; only the vertebrates — the backboned animals — are not yet well-defined.

*Ordovician Seas.*— Ordovician time was one of the most important periods of the Paleozoic Era. The oceans were widespread and the deposits are thick. The lead and zinc of the Dubuque region are of this age, as are also heavy beds of building stone, thick deposits of shale for making clay wares, and especially the large supplies of water which are pumped from the Ordovician sandstones and limestones.

The Ordovician rocks are exposed at the surface or under thin glacial deposits in an inverted triangular area along the Mississippi River. The base of this triangle extends across Allamakee and Winneshiek counties, and its apex reaches as far southeast as Clinton.

*The Silurian Period.*— Because of the southwesterly dip of the strata of northeastern Iowa, Silurian beds are not

present very far north of a line between Dubuque and West Union. West of Independence and Anamosa they are buried under later beds. These strata are almost all dolomites and limestones, and they tell of times when the seas were clear and still and when corals and varied shell forms flourished in great abundance on the bottom of these warm waters, just as they do in the warm seas of the modern world. Because of the hard, resistant nature of the Silurian rocks they are well adapted to the formation of steep crags and slopes, and the traveler, once he has insight into the topographic forms of northeastern Iowa, can often distinguish the Silurian strata from adjacent rocks of other types by the differences in surface features.

*Life of the Devonian Period.*—Devonian rocks occupy only a narrow strip along the western margin of the area set apart for discussion in this summary, and for the purposes of this paper the period is of little importance. It is at least worthy of mention, however, as forming much of the setting for the more richly scenic region farther east. The Devonian rocks, we may add, are of immense importance economically, because they furnish the limestones and shales that supply the great cement mills and clay plants centering about Mason City.

The life of Devonian time was very different from that of the earliest periods of Iowa's geologic history. Many of the older forms were still present, but abundant new forms were introduced. Scorpions, the first air-breathers, had come on land during the preceding Silurian Period, and in the Devonian, fishes, the first of the backboned animals, assumed definite, though very strange forms. Some of these fishes acquired marine habits, some lived in fresh water, and still others had lungs and could breathe air. The Devonian Period is important also for the fact that



land plants for the first time became very abundant and large, some woody types forming the world's oldest forests. It was many millions of years, however, before flowers came to beautify the lands with their brilliance of color; early forests were all dark and somber, and their trees would seem queer to us today.

#### HISTORY OF THE PLEISTOCENE PERIOD

It is well known that in the more recent geologic time, Iowa has several times been covered by immense continental glaciers. The period of these glaciers embraces the "Great Ice Age" or the Pleistocene Period. It is not so well known that many glacial invasions preceded this last series, that almost every great period of geologic history, including those of the Paleozoic Era just described, shows evidences of glaciers. However, we may well call the most recent of these glaciations "The Great Ice Age", for it affects Iowa most profoundly. The soils of the State of Iowa are based on its rock waste, our prosperity depends very largely on its work, and Iowa topography, with its resultant scenery, is determined in many places either by the deposits of the glaciers or by erosion in these deposits.

The Pleistocene Period embraces perhaps the last million years of earth history. Between the beginning of this period and the time of the deposition of the latest bedrock of the area being described there was a gap of probably more than 300 million years. During most of this time northeastern Iowa lay as a land area under summer suns and, after climatic zones developed, under winter snows. At last there came a time when the earth grew so cold that enormous glaciers spread over northern Europe, over most of Canada, and south to the Ohio and Missouri rivers. This was the glacial period. Five times these great ice sheets spread out and then melted away in the face of a moder-

ating climate, each time leaving a blanket of loose material — the glacial drift.

The oldest of these glaciers was the Nebraskan. It covered all of Iowa, including the region in the northeast, long known as the driftless area, because geologists once thought that no glacier had ever invaded it. Drift from this glacier is still thick in southern Iowa but is entirely gone from the northeastern counties, except for patches here and there. When many years had passed, a second glacier — the Kansan — swept over Iowa, covering all save a triangular strip extending from New Albin west to Decorah and south to Bellevue. After the retreat of this glacier Iowa basked in a genial climate for long centuries except for a brief interlude during which a third glacial cover — the Illinoian — reached southeastern Iowa but failed to touch our area. The eastern limit of the fourth glacier — the Iowan — is a long sinuous line extending from western Winneshiek County to Jones County, while its western margin lies near Carroll and Cherokee. The Wisconsin — the fifth and last sheet to enter Iowa — did not extend into our region and so had no effect on its rocks, its soils, or its topography.

With the retreat of the last of the ice sheets begins the Recent Epoch, the time during which man has come to his present stage of civilization.

#### THE TOPOGRAPHY OF NORTHEASTERN IOWA

The intelligent traveler needs no proof of the statement that the topography of a region depends closely on its geologic history: the evidence is plain that a land surface is influenced by the character of its rocks, by the dashing rains that have coursed down its slopes, by the work of the streams that flow in its valleys. So our readers will readily understand that the present-day beauty and charm of



northeastern Iowa's scenery is the result of the many long centuries of geologic development.

Had a tourist traversed the areas of Allamakee or Clayton counties some millions of years before the Nebraskan ice sheet appeared, he would have found a land of long gentle slopes not over two hundred feet high. Rivers wandered hither and yon, but we know not whence they came nor whither they went. Could he have returned a few million years later he would have seen steeper and higher hills and bluffs, some rising as much as four hundred feet above the rivers. But the Nebraskan glacial drift filled all the hollows and even formed a blanket over the hills, so that the older topography was entirely blotted out. Had the tourist been permitted to revisit the homes of his fathers a second time, after the Nebraskan drift mantle had been well eroded from its original level condition, an entirely new scene would have met his view. He would have observed new streams and glimpsed the mighty Mississippi, weaving its majestic course to the sea. And so from that day to this, during the passage of perhaps a million years, the great river has been carving its valley ever wider, carrying its load of sediment unceasingly from the prairies to the sea. Its tributary streams have been equally busy chiselling out their valleys, striving always to keep pace with the master stream. In these ways and by these processes has Nature builded for us the romantic beauty, the quiet charm of "The Switzerland of Iowa".

*Pike's Hill and the Mississippi River.*—No spot in northeastern Iowa exceeds in beauty of form or delight of outlook the rugged mound known as Pike's Hill. Long called Pike's Peak, in recent years this elevation has been named Pike's Hill to avoid confusion with the greater Pike's Peak of Colorado. They are both named for Zebu-

lon M. Pike, who visited Iowa in 1805 on his way to the source of the Mississippi River. Anyone who has visited Pike's Hill can appreciate the pleasure with which Lieutenant Pike must have gazed out over the broad valley of the great river. Not only does this hill afford one of the highest points of vantage along the entire course of the valley, but, in addition, the view upstream and down from the edge of the cliff is probably unprecedented in its sweep. The hill rises abruptly to a height of five hundred feet above the river. Every spot where any soil may cling is covered with trees or shrubs. Where the wall is too steep and the rock too resistant the bare bluff rises like a precipice. On the north side, toward McGregor, a deep gash cleaves the valley to its base and adds another bit of scenic beauty — a mossy, shady gorge known as Pictured Rocks Glen, named from the fact that here a great bed of soft rock, the St. Peter sandstone, is tinted by a whole series of shades — reds and browns and purples and oranges and yellows — affording a beautiful variety of tints and contrasts. It is a spot to delight the botanist and flower lover because of the unusual variety of ferns and flowering plants as well as trees and shrubs. Probably no spot in northeastern Iowa excels this one in the range of its geologic formations and history or in the beauty of the forms into which Nature has carved the resistant limestone and yielding sandstone. Trickling brook and swirling waterfall, quiet pool and dripping spring, each adds its share to the picture. If Pike's Hill is a richly carved cameo then truly the Glen is one of Nature's beautiful intaglios.

As the visitor approaches the brink of the precipice, his vision widens and finally he looks across the valley that spreads away beneath his feet nearly two miles eastward to the Wisconsin shore. The bluff on that side rises as steeply and nearly as high as that on which he stands. It is



crowned by the picturesque reaches of the Nelson Dewey State Park, one of Wisconsin's many treasures of Nature. Almost directly opposite his lookout comes the Wisconsin River, its winding, braided channel bringing its muddy flood to join that of the Mississippi. The waters of the Mississippi are divided along much of its course into several channels and bayous, but here the whole stream unites in one course as if to give finer welcome to this noble tributary.

Among the remarkable features of the Mississippi Valley are the wonderfully long, gently sweeping curves of its restraining walls. These walls are nearly parallel for miles, and in many instances, as at Pike's Hill, they rise from river to summit in one grand parapet. Guttenberg lies behind one of these outstanding curves and so is out of the line of vision, although it is only fifteen miles distant. The same succession of smooth sweeping curves reaches far to the north, beyond McGregor and Prairie du Chien, beyond Harpers Ferry and Lansing, to New Albin at the State line and on into Minnesota.

When the glaciers were melting away from the valley of the Mississippi, they released immense floods of water to dash down the channel of the river. These floods were no doubt loaded to the limit with sand and gravel and mud, and these loads acted as a great chisel to cut away the sloping, winding walls of the river valley, making them vertical and parallel and widely curving. This occurred so recently, geologically speaking, that the walls have not yet had time to resume their long slopes, and in many places they are still bare of foliage. But look at the smaller, tributary valleys—the Upper Iowa or Oneota, Yellow, Turkey, and Maquoketa rivers. None of these river valleys reaches into the area of the last glaciation and only the longest of them extend into the lands covered by the

preceding ice sheet, the Iowan. Their streams, therefore, carried no such loads of rock waste as did the master stream, and they still flow in the winding, sinuous courses carved for them in the long ages following the earlier ice invasions.

The visitor on the top of Pike's Hill may find added interest in the fact that what he sees as the bottom of the valley, five hundred feet below him, is not the real floor. That lies beneath a layer of some one hundred and fifty to two hundred feet of loose sand, gravel, and like materials. The stream in its early history, probably when the land stood higher than now, cut its valley to the greater depth, and then, changing its mind, so to speak, proceeded to partly fill it again. The depth of the real valley, then, down to its rock floor is not merely the five hundred feet visible to the observer, but seven hundred feet or thereabouts. This is a point of some practical importance to the well driller who is seeking pure water on the valley floor, for he may have to drill through this loose filling and into the more solid sandstones or limestones below.

We have already said that Pike's Hill is one of the highest points along the entire Mississippi Valley. This region seems to have been raised in a very gently flattened dome leaving it higher than the land northward toward Minneapolis or that southward toward Clinton. Erosion has dissected this dome, transforming this portion of an otherwise prairie State into a miniature mountainland.

*McGregor and Marquette.*—About two miles north of Pike's Hill is the picturesque little town of McGregor. The main highway into this town comes from the west, but a road winds in from the south, coming across the hills, past Pike's Hill, and down a moderately steep descent to the main street of "The Pocket City". Wide enough for only



one or two streets, the village slips down its little valley between amazingly steep slopes, in summer covered with brightest green, until at last these open out into the great expanse of the Mississippi. But if the traveler wishes to visit "The Heights"—and no visitor here should miss them—he must climb up and up and up, three hundred feet or more. The winding road at length brings him to the edge of the hill, and here his view is truly beautiful. The steep bluff at his feet, the wide valley stretching away three miles or more across the river channels and lotus ponds and beyond Prairie du Chien to the high cliffs on the Wisconsin side, all these make a scene that one will wish never to forget. Here also is the home of the widely known Wild Life School, which McGregor has so nobly striven to foster.

But no picture of the great valley can be complete without the pleasure of a ride in one of the boats that ply up and down the Mississippi. In no other way can the visitor gain such a continuous view of the splendid panorama that unfolds itself as the boat slowly makes its way along the base of the bluffs or crosses from shore to shore. In no other way can he realize the sheer height of the crags or appreciate the beauty of the verdant cover of the valley walls. Perhaps, also, the voyager may be so fortunate as to pass near the lily beds and so get a close view of their pearly beauty. A day on the Mississippi is a day well spent.

*Lansing and Mount Hosmer.*—It would be a pleasure could one follow a road along the river from McGregor to Lansing or perhaps on to New Albin. There is indeed a road along much of this distance, but it may be wise for the present to leave it to the hardy driver or one well acquainted hereabouts. Some day this road will be one of

America's scenic drives, and then New Yorkers and Louisianans and even Californians will learn the charm of this land of hills and hollows. The pleasure seeker today will do well to follow the excellent highway that takes him across the rolling hills to Waukon and then down to the river again at Lansing. Starting from McGregor, this route leads one along the foot of the bluff to Marquette, only a mile away, and on to the Yellow River, about three miles farther north. Here the tourist leaves the main valley, crosses the tributary stream, and winds upward until finally he reaches the upland. This ridge road to Waukon affords some of the best views of the so-called driftless area of northeastern Iowa. Mile after mile the road winds along the hilltops, only here or there dipping into a depression, following one of the high divides between the drainage lines, twisting about delightfully to maintain its elevation. Waukon, "a city on a hill", is nearly 600 feet higher than Lansing and is one of the highest towns in northeastern Iowa. Here the road turns northeast, passing Iron Hill, named from its cap of iron ore, and the old-time inland villages of Lycurgus and Church. From these villages the traveler may see far northward over valley and hill to the fields of Minnesota, or eastward, across the deep gorge of the Mississippi, to the blue mounds of Wisconsin. Soon, however, the road leaves the ridge and drops gently into the valley of Clear Creek and on to Lansing. In the way its streets cling to the hillsides, this village reminds one somewhat of McGregor. Probably its greatest attraction to the tourist is Mount Hosmer, the steep rounded hill that here sets bounds to the broad valley of the Mississippi River on the east and the narrower course of the creek to the south. A well-graded roadway makes much of the ascent easy, and the view that greets the traveler at the summit is indeed a delight. It is much like that at Pike's



Hill except for the infinite variety of detail. Mount Hosmer lifts its mass some 370 feet above the river and its situation gives a fine opportunity for views up, down, and across the swinging curves of the valley. An especially noteworthy detail is Mount Capoli, a rocky half-dome about two miles south of Mount Hosmer. It rises with a vertical face a hundred feet above the river, but its back slopes are long and relatively gentle.

*The Upper Iowa River and Decorah.*—A well graveled road follows the foot of the bluff between Lansing and New Albin and affords abundant views of the steep walls of the valley. New Albin is close to the State line, and on the farther side of the line rises Minnesota Point, a steep, rocky hill about 300 feet high. The upper walls are vertical in places, and as the surrounding land has been eroded away, the Point stands out in splendid isolation.

A good county highway follows the north edge of the valley of the Upper Iowa River as far as the mouth of Clear Creek (not the Clear Creek that flows past Lansing, however). From here a fairly good road extends to the mouth of Bear Creek, where it crosses the State highway and leaves the main valley. This road gives excellent opportunities for observing the topography of one of northeastern Iowa's most characteristic and most scenic rivers. It seems unfortunate that this stream's beautiful and expressive name of Oneota should have been abandoned for the hodge-podge compound, Upper Iowa; but, in spite of the name, one can view the beauty of the river only with pleasure. Flowing as it does across the highest lands of eastern Iowa, its walls are everywhere high, and for the most part they are steep and even precipitous. The lower five or six miles of the valley is a mile or more in width and here the river wanders idly back and forth across the bottomlands. A unique fea-

ture greets the traveler here — great hills entirely separated by erosion from the surrounding uplands. These hills have been given expressive names by their admirers, such as Owl's Head, the Elephant, and Mount Hope, and their forms are characteristic of this region.

Above the mouth of Bear Creek, extending at least as far as the Winneshiek County line, conditions are different. Here the valley is narrow, increasingly so as one proceeds westward, and the steep hills hug the stream so closely as to leave, in places, little if any room for a road. Indeed, miles of the most scenic part of the valley are entirely destitute of roads and so for the present are inaccessible to any save the venturesome pedestrian. A State park is proposed for the most beautiful fragment of this land of beauty, and doubtless some roads will be built in the near future. But it may be just as well to leave some of this region safe from the devastating foot of man, the relentless destroyer.

Perhaps the most astonishing feature of the valley of the Upper Iowa in western Allamakee County is the series of great loops or oxbows along which the river winds its devious way. These swing back and forth and twist here and there until they more than double the airline distance the river would need to go to cross this bit of hill country. On the other hand, they more than double the scenic charm which opens out to the traveler's view. As he stands atop one of these swelling hills he may look across the narrow valley and see another and similar hill rising to meet his gaze. This outlook is repeated again and again, not only in the main valley but in that of each little tributary — Waterloo Creek, Bear Creek, or Canoe Creek. Standing within the embrace of many of these oxbows, too, are flat bits of prairie, a quarter or half a mile to several miles in length. They are remnants of the original upland at the



level of which this whole region stood many centuries ago, though still not so far back as geologic time is counted. Some of these prairies stand 400 feet above the river which is not far away, and most of this height is attained in one great upstanding sweep. This is a land of exquisite charm, and it is a pity that ten thousand acres can not be included in a great parkland instead of the few hundred to which plans must at present be limited.

As the traveler approaches Decorah, the valley is again wider and the river once more swings back and forth in broad loops within the valley walls. Its natural features make Decorah a scenic city. The widely curving river flows like a moat against its steep bluffs on the north, and these are surmounted by towering pines. The Decorah folk have added to Nature's charms by building a picturesque city park on its steep hillsides.

Among the natural attractions of Decorah are Dunning's spring and the ice cave. The spring breaks out of a rock wall on the north side of the valley and an ice-cold stream three to four feet wide flows down its steep rocky ravine to the river near by. The ice cave, also on the north side of the river, is a triangular cavity formed in the bluff when the rocks in the outer wall slipped outward a little from the base. The cave may be followed inward for perhaps fifty feet. On the inner wall of the cave, ice forms in the spring months and melts away in the summer. The explanation for this apparent reversal of Nature's laws seems to be that cold, dry, condensed air is drawn into the many crevices in the rock in the winter and is forced out by expansion in the spring. As this air meets the warm, moist air in the cave the moisture is precipitated on the cold wall as ice. Several freezing wells are known near Decorah and they and the cold water of Dunning's spring doubtless have a similar origin. Other ice caves are found in this land of

creviced limestone, one of the best known being that in Bixby's Park near Edgewood in southwestern Clayton County.

Picturesque spots similar to those seen below Decorah are found farther west. Since the river is here nearer its source, the valley is not so deep nor are the bluffs so high as is the case nearer the Mississippi. Two of the most interesting of these spots are at Bluffton and Plymouth Rock. Here the Upper Iowa has cut vertical walls which at Bluffton are sheer and smooth, almost like masonry, while at Plymouth Rock they are castellated and turreted like some medieval baron's fortress. This is a really remarkable feature and naturally brings up the question, how did it happen? If we examine the structure of the rocks we find that in the first case they are jointed in a direction parallel to or almost parallel to the stream's course, while in the second case the joints run at various angles to the valley walls. As the stream has undercut its walls, where it flows parallel with the joints it has brought down the entire slab, and the wall has retained its smoothness. On the other hand, where the joints are at high angles to the river's course the rock must be dissolved or cut away bit by bit by the water and other elements, leaving the walls rounded and battlemented.

The little inland village of Hesper, thirteen miles north of Decorah, occupies the summit of one of the narrow irregular "prairies" mentioned before. Two localities here are, so far as known, the highest points in Iowa east of the Des Moines River. These are a hill just west of the village of Hesper and another three miles west and a mile north, at the State line. They rise a little over 1360 feet above sea level and 500 feet above Decorah.

*Turkey River and West Union.*—One bright morning some years ago the writer boarded a train on the branch



railroad line at Turkey River Junction bound for West Union. Turkey River joins the Mississippi here, and the junction is marked by a mile-long ridge that forms a splendid gateway to the valleys beyond. It terminates in a high point known as Estell's Peak that rises sixty to eighty feet above the railroad track at its base. As the train swung along the wide open curves, skirting the edge of the valley floor, it gave view after view of rounding bluff and sweeping slope. Attention was divided between the natural scenery and the little, oldtime villages along the way — Millville, Osterdock, and Garber (East Elkport). Beyond Elkport and Garber the railroad leaves Turkey River to follow the smaller Volga. Both rivers have very narrowly restricted, sharply winding valleys, and the train, as it wound along its twisting course, seemed to the passengers to be following every direction of the compass. Littleport was passed, as well as Mederville, Volga, and several other towns down in the deep valley.

It chanced that the passenger fell asleep hereabouts, and when he awoke it was nearly noon and the train was approaching West Union. What a contrast! In place of the steep-sided winding valley that had been last seen, here was a gently sloping swale, and just to the west were the wide open prairies so familiar to most Iowans. It seemed as if we had been transported from the hills of Scotland, perhaps, to the plains of France. In fact we had passed from the rough hill country of the Nebraskan and Kansan drift areas to the softly undulating surface of the Iowan drift. Here the topography, instead of being strongly erosional, was gently constructional, the surface features being built up by drift left by the Iowan glacier. In the afternoon a drive was taken west of the town, and the scene was all the same — a typical Iowa prairie. We had left the Switzerland of Iowa for the land of tall corn. Here

such boulders as were to be seen on the surface were usually granite, brought from the north by the glaciers, and not to any extent the limestones native to our State.

Brief mention should be made of the springs and old mills of this region. These add to the charm of any area, and northeastern Iowa has a number of large springs and well preserved mills. The mill at Motor is one of the best on the Turkey River, and mills were maintained for years at Volga and Mederville. Big Spring, five miles up the Turkey River from Elkader, has the reputation of being the largest in Iowa.

*The Backbone State Park.*— The Backbone State Park is the oldest and, up to the present, the largest of Iowa's splendid system of State parks. It is located near the northwest corner of Delaware County and is about three miles south of Strawberry Point. If a tourist visits the Backbone State Park from the direction of West Union or Manchester, his whole journey will be over the prairie-land we have just described. His trip and his impression of the topography would be widely different, however, were he to come by way of Decorah or McGregor. From Decorah the road winds past Calmar and Postville and Monona, along high ridgetops from which a wide prospect may be had over rolling farmland or steep-sided valleys. At Froelich this highway meets one from McGregor. This McGregor road has climbed over five hundred feet from the river not many miles away.

Southwest from Froelich the highway crosses several streams, and the traveler must needs dip uphill and down. In this way he gains alternately wide vistas across the uplands or restricted outlooks at steep rocky crags or gently dipping valleys. The Turkey River, with its high, steep bluff, is crossed at Elkader, and the Volga, that valley of



the winding railroad, is passed at Osborne. Thence the highway again winds along the ridge to Strawberry Point, where another contrast in topography meets the view of the traveler. This change is much like that at West Union, and the reason is the same. We have left the area of the Nebraskan and Kansan drifts and have entered the Iowan drift plain with its softly flowing contours and its level prairies. One could not ask or find a better illustration of the close relation between topography and geology.

As one approaches the park, however, a decided reversal may be noticed: the slopes again are steep and rocky, like those beyond Elkader. Some years ago when the Backbone region was being considered as a State park, the writer prepared a statement concerning it for the State Board of Conservation. The five paragraphs which follow are taken in substance from this statement.

The Backbone region is a rugged island rising out of the gently swelling sea of the Iowa prairie. It is a bit of the "oldland", which elsewhere is hidden by the mantle of the newer glacial drift. Amid its deep valleys and precipitous cliffs one imagines himself, and rightly, in a land ten thousand centuries old. Clambering to the level of the nearby upland he looks over a plain that has been barely touched by the graving tools of Nature.

The Backbone proper is a long narrow ridge lying within a loop of the Maquoketa River, which bends back upon itself to the north for a distance of half a mile or more and then, again making a turn to the southeast, resumes its normal course. Above the waters of the stream the rocky cliffs rise vertically to heights of from eighty to one hundred feet, while the more distant hills stand from sixty to a hundred feet higher still. The rock walls of the valley are dotted by and surmounted by occasional clumps of the rare white pine and the red cedar, which seem to seek the most

barren spots for a foothold. The level flood plain with its carpet of grass and the grateful shade of its forest covering offers a tempting resting-place for tourist or camper.

If one wishes to climb to the summit of the Backbone, an easy path offers itself, or the more venturesome may ascend the "stairway", a great crevice in the rocks, widened through the ages by solution and decay, until now it affords a precarious passage for the clear of head and strong of limb. From long exposure to the forces of Nature the rocks have been carved into towers and columns and battlements and all the picturesque forms which such materials assume under the touch of time. Residents still living tell of driving along the top of the Backbone with horse and buggy; today one must walk carefully if he would avoid falling off the narrow ridge and down the vertical walls, so much has erosion progressed during human memory.

In the early stages of the Pleistocene or glacial period the great Nebraskan and Kansan glaciers covered this region with their blankets of glacial drift. In this drift were carved deep valleys, one of them being that of the Maquoketa River. The Iowan glacier, however, seems to have been too thin to override and cover the Backbone region. Today, therefore, while all about are the smooth gentle slopes and shallow swales of the Iowan area, within the Backbone region itself are the deep-cut valleys and vertical rock-walled cliffs so familiar in the Kansan and Nebraskan areas to the northeast.

The question naturally arises as to the reason for the loop in the river that causes the Backbone. The answer probably is that when the Maquoketa began to cut its valley on the level Kansan drift plain, its course was determined by the surface topography. As it reached the buried rock, however, this course chanced to lead the river over an old



rock hill, and some irregularities caused the stream to assume a sharply winding course — the Backbone of modern days. This beautiful spot, charming alike in its contrasts and in its many picturesque features, stands as perpetual testimony to the effectiveness of the geologic forces and the variety of the geologic activities that had a part in its sculpturing and its form.

*The Road to Guttenberg.*—One might take many pleasant trips through this hill country did time permit, but only one more can be described here. This one, however, has much of historic interest as well as scenic attraction. If the tourist drives from the Backbone State Park to Anamosa he crosses prairie land most of the way, but as he approaches the Wapsipinicon River he again enters rougher land, and this feature is emphasized in the fine bluffs that give the Wapsipinicon State Park its charm and its value for geologic study. This park is situated along the banks of the river, above which the walls rise from forty to a hundred feet. The rock is the Silurian limestone, as is that at the Backbone Park, and its tendency to stand in vertical cliffs is well shown. The river here runs through a narrow strip of rough country and has carved this very irregularly. In this way it has formed an area of much scenic interest, an interest that culminates in the region now including the Wapsipinicon State Park. The rolling hills of the park give room for recreation areas as well as fine outlooks across the river and over the prairies beyond. The Iowan ice sheet and its blanket of drift were thin and did not cover the long high ridge, so its erosion has been uninterrupted, while the lower plains on either side were covered with drift and their roughnesses were wiped out.

Most of the way from Anamosa to Maquoketa the road

follows the valley of Bear Creek and enjoys an easy gradient, although on both sides the surface is rolling and rugged. A good road leads from Maquoketa northwest along the high ridge eight or nine miles to the Maquoketa Caves State Park. Here a most unusual sight greets the visitor. The following description is abridged from one prepared a few years ago by the writer.

The visitor who approaches the caves from the direction of Maquoketa enters a ravine rather at a right angle to its length and may cross it on a natural platform far above the real floor. This floor may be reached on either side of the platform by steep pathways. To the left the pathway leads down the sides of a great funnel-shaped opening strewn with boulders which are the remnants of the solid rock which once occupied all this space. This funnel is perhaps fifty feet in diameter at the top and the same in depth. At the bottom it leads, on one hand, to a great archlike tunnel two hundred feet long. Midway of its length, this tunnel is so low that one must stoop to pass through. At the far end, however, it opens into a majestic hall whose roof rises a clear thirty feet from the floor and covers a horizontal span of twice or thrice this distance. Outwardly this natural auditorium opens on the tree covered slope of the ravine. In the other direction the funnel leads to a narrow passage which extends under the platform already mentioned as affording a crossing of the ravine.

To the visitor's right, as he approaches, the pathway leads down the steep slope into a great cavity whose walls on two sides overarch in a cavern fifty feet in depth and fully as wide. The narrow passage mentioned above opens into the base of this cavern, but the opening is not high enough to admit of traversing, except perhaps on hands and knees.



The far side of the great cavity, that toward the open ravine, is limited by the arch of the natural bridge. It is hard to do the subject justice in describing this beautiful span. While it is not comparable in size with the immense natural bridges of Utah, its architectural beauty, the coloring of its rocks, and the crown of foliage that covers its summit go far to compensate for its lesser magnitude. The top of the arch is flat, perhaps forty or fifty feet above the floor of the valley, and bears on its broad back several large trees, besides smaller vegetation. The arch itself rises twenty feet or so above the base and is twenty or thirty feet thick. The series of caves and the bridge is a feature of beauty and rarity that makes it one of Iowa's most unique parks.

At some time in the past the stream must have flowed level with the top of the ravine. The rock, however, is much creviced, and in the course of time the water found its way underground. Parts of the roof of the subterranean channel thus formed dissolved away or were broken down, leaving remnants to form long passages or caves or to serve as shorter bridges across the water course.

Returning to Maquoketa, the tourist may follow a winding ridge road past Bridgeport, Andrew, and Cottonville and on to Bellevue by the Mississippi. The oldtime flavor of these places gives them much of romantic charm, and the visitor will do well to linger along their streets and by-paths. The main street of Bellevue extends close beside the river and is built up on only one side, so that the great stream is in full view. In the heyday of river traffic Bellevue was an important port, and its well built warehouses still present an imposing front. A large sawmill at the mouth of Mill Creek also added distinction to the town. Across Mill Creek on the south is Bellevue State Park, the pride of the city, and justly so. A steep winding road takes

the visitor two hundred feet above the streets and leads him to a beautiful outlook across the river to the east or to the rolling uplands of the park on the other side. The visitor is back in Switzerland, and except for the somewhat lesser elevation of bluff and hillside he might imagine himself at one of the places visited before.

The highway from Bellevue to Dubuque affords the tourist another series of delightful views, in places along the river and elsewhere farther back among the wooded hills. One of the most fascinating spots in all this countryside is the old French village of St. Donatus on Têtes des Morts Creek, perhaps fifteen miles south of Dubuque. As the traveler approaches from Bellevue he may pause on the south hillside close to the attractive Lutheran church and parsonage. In the valley below he sees the old-fashioned stone houses of the little village on the single cross street. On the farther hill stands the Catholic church building with its fourteen Stations of the Cross climbing the steep slope above. The delightful old-world charm of the scene is wonderfully impressive, and the visitor leaves with an indelible mental picture of valley and village and spires.

Dubuque is soon reached, and the tourist should go out of his way long enough to see Dubuque's monument crowning the river bluff at the south edge of town. It would be worth while, also, to visit the natural towers along the railroad at Julien, erosion remnants showing the work of Nature.

Dubuque is a city of many natural attractions. The steep, wooded bluff rises two hundred feet above the river's edge at Eagle Point in the north part of town, and the steep rock hills back from the river divide the town into upper and lower sections. An unusual mode of exit to the north is provided by Couler Valley, a flat floored depression nearly four miles long and perhaps a quarter mile



wide. It has no well defined stream for most of its length and seems to be an anomaly in this land of strange drainage conditions. In fact, it is an abandoned valley of the Little Maquoketa River. Now it is one of the main thoroughfares into northeastern Iowa, Highway 55.

Such places as New Vienna, Holy Cross, and Luxemburg bespeak in their names their origin and early history. Sherrill's Mound, an oval hill rising four hundred feet above its surroundings, tells of another kind of history — the carving out of these gentle slopes in yielding shale while the resisting caps of limestone have persisted here and there to form these great domes. And so the road winds northward across the fields and down the valley to Millville on Turkey River. From here a steep hillside leads once more to the ridge, where a fine view may be had of the river that has been so much in our thought. Then passing down a splendid piece of highway construction the road drops into another village reminiscent of the old world — Guttenberg. The town clings to the narrow terrace between the river and the bluff as if fearful that one might wash it away or the other overwhelm it. Many of the older buildings show the foreign origin of their architecture, and the visitor here today should make good use of the opportunity to get this glimpse of another day, for soon modern styles will blot away the older types.

A striking feature at Guttenberg is the long, narrow, rocky ridge between the Mississippi and Miners Creek, at the south edge of town. It slopes down to the river from a sheer height of three hundred feet or more and is especially impressive as the visitor approaches it along highway or railway on the valley floor.

The primary highway will lead the tourist away from the river and over the high ridges, past Garnaville and National and so to McGregor. Or he may prefer the more

wandering road that stays nearer the great valley, leads past Pike's Hill and finally drops down the slope to the village. Either route will serve as a fitting ending to this tour around and about the Switzerland of Iowa.

JAMES H. LEES

IOWA GEOLOGICAL SURVEY  
DES MOINES IOWA



## SHALL IOWA HAVE NATIONAL MONUMENTS?

The answer to this question apparently rests with the people of Iowa. The Federal Government has already made the suggestion. The following paragraphs attempt to sketch the brief outlines of the story.

For many years the people living along the bluffs of the Mississippi River in northeastern Iowa enjoyed what nature had spread about them and said very little about it. "Finest scenery along the whole river!" said the steamboat crews and said their passengers in the days when river packets made regular trips from New Orleans to St. Louis and St. Paul. "We have seen the Hudson, the Rhine, and the Danube", said later world travelers, who began to journey from East to West and from West to East, crossing the Great River on the McGregor-Prairie du Chien ferries when at last the Wisconsin and Iowa highways began to attract some transcontinental travel, "we thought we had seen real river scenery, but nowhere have we found anything quite so majestic and quite so satisfying as this." "We ought to tell the world what we have here", finally said the people of northeastern Iowa, when through the years the testimony accumulated to the effect that the scenery of the Upper Mississippi was not only beautiful but really unsurpassed, "we should have a national park here, right here where the people live and where all may come and see".

There were and there are solid reasons for such a desire and such a conclusion. For in making a river big enough to drain the interior of a whole continent some wonderful forces had to be set to work and some colossal results had to be achieved. During hundreds of thousands of years

vast floods had to cut away and carry to the Gulf of Mexico the bedded sandstones and limestones of many geological ages. When this labor was finally accomplished and the waters no longer rushed and whirled and leaped in the abandonment of youth, but moved silently and steadily along in the serenity of age, there were still the finishing processes that belong to any perfect work, the addition of those graces that proclaim the finished enterprise. The great gorge three miles wide and more than seven hundred feet deep was too severe, too little friendly as the forces of erosion first left it. The tall straight cliffs needed to crumble somewhat into gentle talus slopes; the great stream-bed needed to fill a little with fertile soils for the making of islands and broad terraces; then finally the forests had to grow, hundreds of square miles of them, to cover and soften and beautify. Now men might come and behold and see whether any good thing might still be lacking.

In 1929 the men and women of northeastern Iowa decided to organize their efforts and ask the United States government for an Upper Mississippi River national park. The Northeastern Iowa National Park Association was the result. From the first these men and women looked beyond the borders of Iowa. Their vision of a national park included the flood plain and the bluffs on both sides of the river from about Bellevue in Iowa to Lake Pepin, Minnesota, more than two hundred miles, therefore, of river scenery in Iowa, Minnesota, Wisconsin, and Illinois. They sought and obtained the support of many people in all this great area. Furthermore, it should be emphasized, they did their work as conservationists, not as promoters of commercial interests. Among their twenty-four officers and members of committees there was not a person who would have benefited financially by the creation of a na-



tional park. If their immediate objective was destined not to secure the approval of the National Park Service of the Department of the Interior, which passes upon all proposals having to do with national parks, their every action, nevertheless, was such as to reveal only a laudable purpose and to reflect only honor and credit.<sup>1</sup>

Authorized by act of Congress in 1930, the National Park Service, in 1931, inspected the claims of the Upper Mississippi area to recognition as a national park. Without denying the merit of the proposal, the Director of the National Park Service, Mr. Horace M. Albright, in his report dated February 16, 1932, found what, from the viewpoint of the Service, were insurmountable difficulties, especially the presence of established municipal and commercial interests along the river, which would interfere with unified development and administration. The report also called attention to the fact that Congress had no precedent for the appropriation of public funds for the purchase of lands for national parks and concluded that the problem of the preservation of the Upper Mississippi scenery could be best solved by the several States concerned through their programs for State parks.

But a refusal of the thing asked for is no bar to a bestowal of a different sort, and sometimes the offered pearls or diamonds are quite as desirable as the cloth of gold originally sought. The same report that withheld the national park expressed approval of the establishment of one or more national monuments within the area.

<sup>1</sup> The work of the Northeastern Iowa National Park Association has been so ably conducted, its published literature has been of so high a type, and its continued activities will have so much to do with any recognition accorded Iowa by the National Park Service that the history of the Association should be fully recorded somewhere and preserved. This will undoubtedly be done. Suffice it here to mention only the Association's list of officers: Walter H. Beall, West Union, President; R. G. Miller, Lansing, Vice President; H. S. Rittenhouse, Monona, Secretary; C. J. Orr, Monona, Treasurer.

Now what are national monuments? Not structures of brick and stone, where the National Park Service is concerned, but areas of land set aside and permanently maintained by the Federal Government on account of their outstanding historic or scientific interest and value. And what did Federal inspectors find along the Upper Mississippi that would measure up to any such definition? Indian mounds! Indian mounds of very special types and interest. But it will be best to let Mr. Albright's report speak for itself, quoting only the part that is directly concerned with mound preservation.

"Our national monument system offers opportunities for the establishment and maintenance and development by the Federal Government of areas outstanding for historic and scientific purposes. Along the banks of the Mississippi River, within this area, there are numerous prehistoric mounds, built by Indians and used by them as burial places. Many hundreds of these mounds have already been obliterated by farming operations. It is important that some representative examples be preserved, since they are of great archeological interest to the present and future generations. It has been asserted that no better mounds are found in Iowa than those that are near McGregor. There are three types of mounds — the conical, the lineal, and the effigy. All these are represented there. . . .

"The preservation of such mounds, while there is still time to save them, will be of infinite value to posterity.

"It is believed that within this area can be found Indian mounds of national interest. Any Indian mounds of this type would add to the completeness of the prehistoric remains that are being protected in our existing national monument system. Provided that areas selected may be studied in advance and approved by experts of the National Park Service acting for this department, and that their ac-



quisition and tender for national monument purposes be effected by the States or citizens of the States involved, I should be glad to approve the establishment of one or more such national monuments containing these prehistoric burial mounds under the control of the Interior Department."

Who knew that there existed in Iowa groups of Indian mounds that were worthy of national recognition? Ellison Orr of Waukon knew it, and had known it for about fifty years. Trained as an engineer, Mr. Orr had through many years surveyed and mapped the mounds of Allamakee and Clayton counties. W. H. C. Elwell, pearl merchant of McGregor, knew it, for he had tramped for years the bluffs on both sides of his little city and had noted with surprise and interest the strange antiquities put there by unknown hands in the long ago. Theodore H. Lewis, a young surveyor from Richmond, Virginia, knew it, for in the employ of Alfred J. Hill of St. Paul, a United States topographical engineer of the Civil War, he had quietly surveyed, during the eighties and nineties, many of the mounds of the Upper Mississippi Valley and had furnished the data on which Mr. Hill had drawn a beautiful series of plats.<sup>2</sup> The writer of this story knew it, for he had learned the facts from the men whose names are here mentioned and had accompanied Mr. Orr and Mr. Elwell on tours of exploration. Some other people, including the owners of the land, knew more or less about the mounds, but on the whole a knowledge of them was confined to local people or to persons with special interests.

<sup>2</sup> The manuscripts of the Hill-Lewis survey, mostly unpublished up to this time, are owned and preserved in the library of the Minnesota Historical Society at St. Paul. The plats of mound groups used to illustrate this article are reproductions of photostats kindly furnished by the Minnesota Historical Society. For brief accounts of the Hill-Lewis survey, see articles by the writer in *Minnesota History*, June, 1928, pp. 96-108, and *The Palimpsest*, May, 1930, pp. 214-226.

What makes the Indian mounds along the course of the Upper Mississippi River of such special interest and importance? It is because they represent a particular development of the mound-building tradition in America. A brief synopsis of the whole situation may be useful here.

Most of the Indian mounds of America are confined to the eastern half of the continent, from southern Canada to the Gulf and from the western border of the original thirteen States to the eastern border of the Plains. The original number of mounds is unknown, but it was probably well in excess of one hundred thousand.

The great majority of mounds are so-called "conicals", which rise in a gentle curve from a round base to a rounded apex. Their height varies from two to seventy feet and their base diameter from twenty to two hundred feet or more. Although conical mounds are found almost throughout the area indicated, being very numerous in Iowa and in many other States, Ohio is best known for mounds of this type because of the fact that the mounds there have produced so many objects of human handicraft.

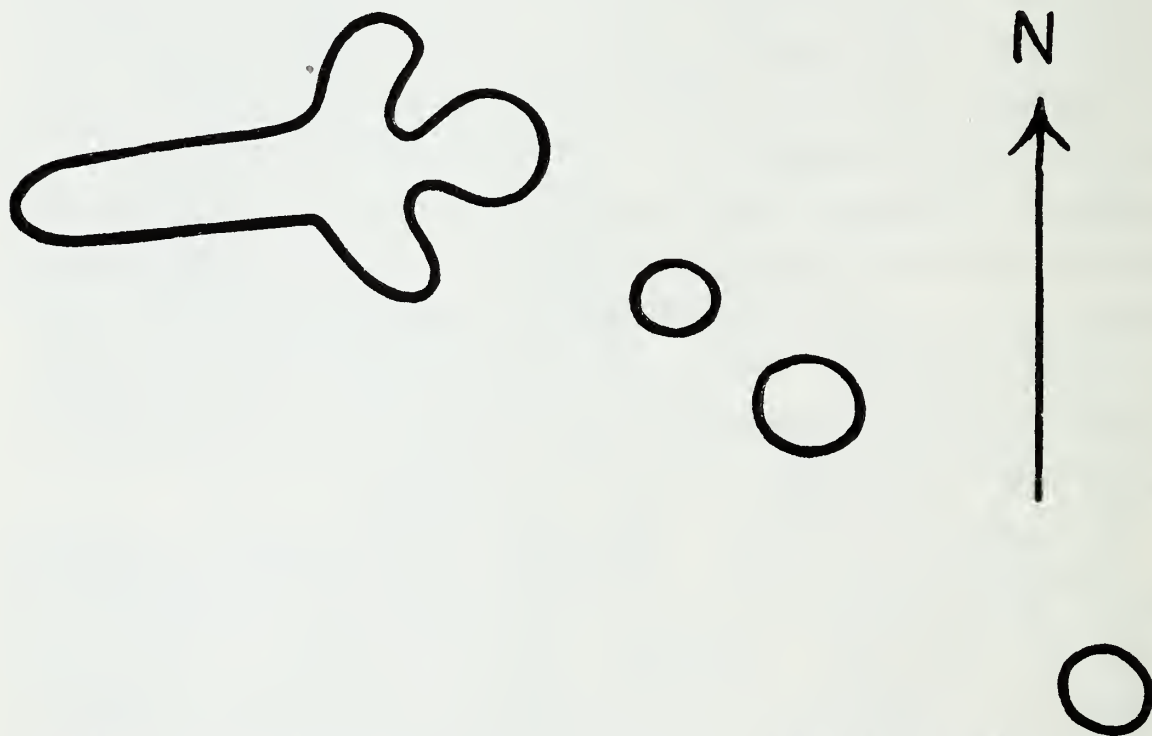
The truncated-pyramid mounds of the Southern States, erected apparently as the bases of temples that were built of perishable materials, constitute a second class of Indian mounds. Excellent examples occur in Georgia, Alabama, Mississippi, Louisiana, Arkansas, Tennessee, Missouri, and Illinois. These mounds slope upward from a generally square or rectangular base, which is sometimes in excess of two hundred feet in diameter, to a flat top which is frequently elevated thirty to fifty feet or more above the natural surface. The largest of the pyramidal mounds is Monks Mound of East St. Louis, Illinois, which covers sixteen acres, rises to a height of one hundred feet, and is larger in point of cubic yards of content than the Pyramid of Cheops in Egypt.



The third most notable class of mounds in America is the animal-shaped type of northeastern Iowa, southeastern Minnesota (a few only), southern Wisconsin, and the northern edge of Illinois (a few only). It is to be noted that the area of the animal-shaped, or effigy, mounds is compact and quite limited. These mounds are built up of earth as great cameos from about seventy to three hundred feet or more in length and from two to six feet high, representing a variety of animals, birds, and reptiles. In a few cases even the human figure is attempted. Accompanying the effigies in the same mound group are frequently found conical and linear mounds, these last being straight embankments from sixty to four hundred feet in length, fifteen to twenty feet in diameter, and two to four feet high. The linear mounds, like the effigies, appear to be confined to the four States mentioned, but with a somewhat wider distribution. Very numerous originally in southern Wisconsin and northeastern Iowa, the number of mound groups containing effigies is now comparatively small, many having been defaced or obliterated by the plow and other agencies. The groups that remain are among the most interesting and important antiquities still preserved within the boundaries of the United States.

A realization of their importance comes quickly enough as one stands in the presence of these clear-cut earthworks, now covered with vegetation and as permanent as anything ever constructed by the hand of man, and wonders what the answers may be to the numerous questions that are sure to suggest themselves. Who built these mounds? When did they build them? Why did they build them? Why were they built in all this variety of form? How much human labor was involved and how was the work accomplished? Considering the fact that a single mound group of average size involved the removal and transpor-

tation of approximately six thousand cubic yards of earth, six thousand wagon loads as the white man counts them, without the use of machinery, without any beast of burden larger than the dog, without metal tools, what urge, one asks, what compelling motive underlay the sustained effort needed for all this vast accomplishment? Do the mounds have contents, human burials perhaps? If so, are there any accompanying objects that would help to tell the story of their origin? Some of these queries are in the way of being answered; others will wait long for an adequate solution, for no white man ever witnessed the building of these earthworks and no historic Indian ever had memory or even dependable tradition concerning them.



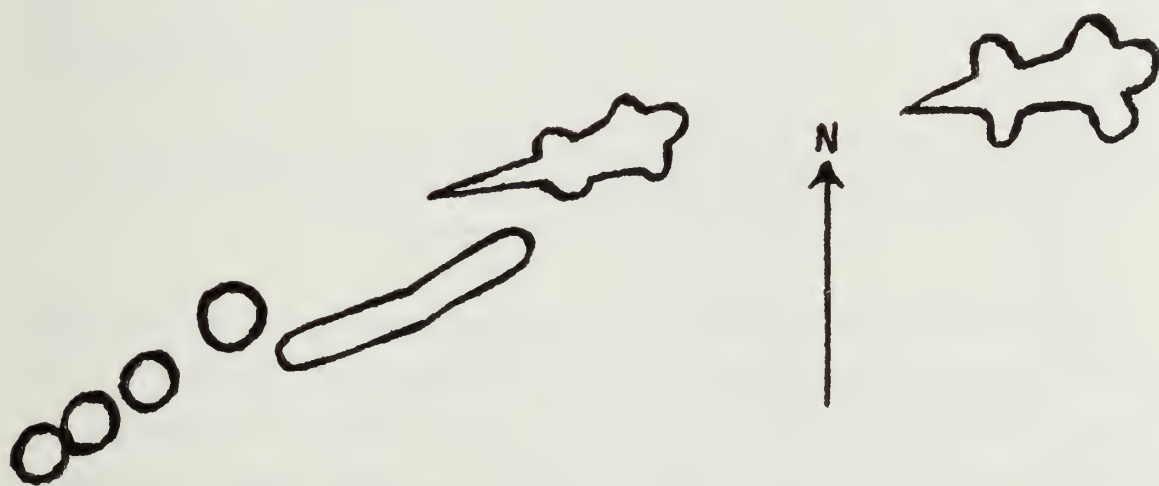
ADAMS GROUP OF MOUNDS ON SOUTHWEST FORTY ACRES OF THE NORTHWEST  
QUARTER OF SECTION 18, TOWNSHIP 91, RANGE 1 WEST, A MILE AND A  
QUARTER SOUTH OF THE MOUTH OF TURKEY RIVER, FROM  
THE LEWIS-HILL SURVEY

Careful excavation of several mound groups in Wisconsin by scientists of the Milwaukee Public Museum has very recently made clear that all the mounds, effigies and linears as well as conicals, contain human burials, that these



burials are usually of secondary types, that is, reburials of a few bones only selected from a primary or first burial elsewhere, made into bundles and redeposited, generally without accompanying artifacts, as the sole contents of the mounds. Thus a known fact tends to create more mysteries than it solves. What a strange custom! Four hundred cubic yards of earth handled and built into an intricate design for the sake of a few bones that might be carried in one's two hands? The fact makes even more insistent our query as to an underlying motive.

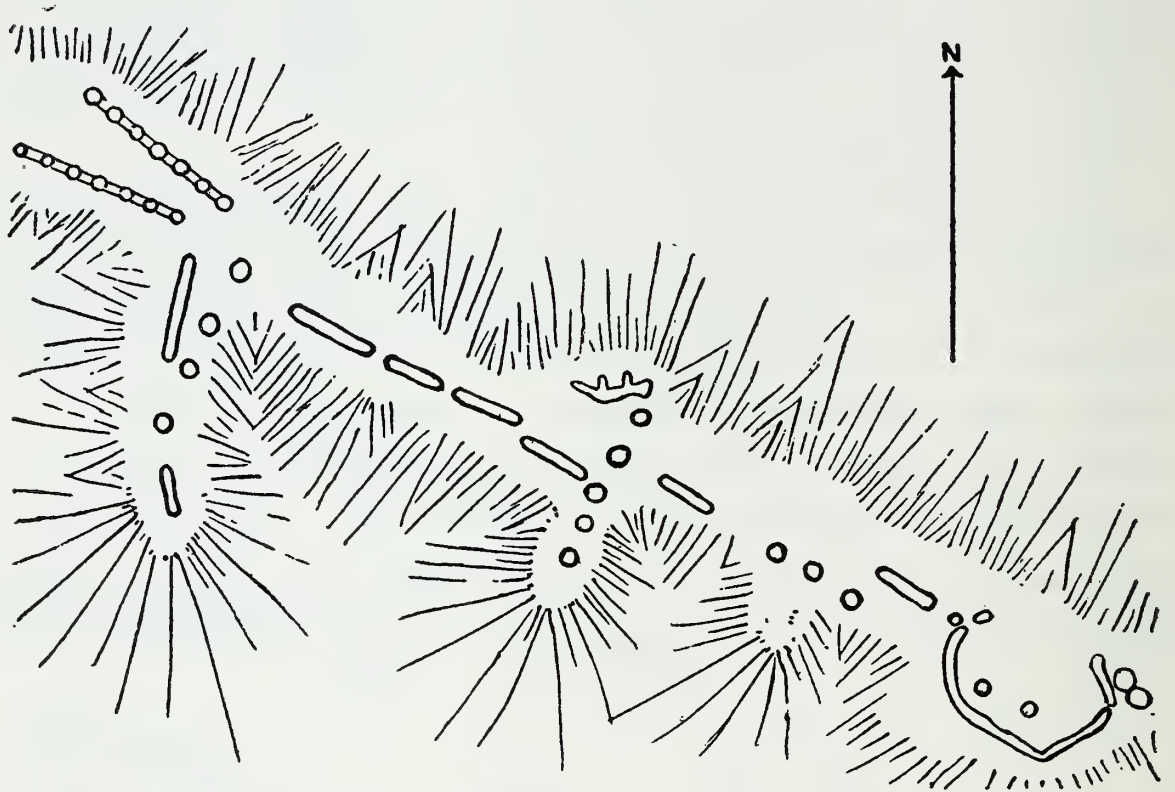
No two mound groups are alike. The Adams Group, a mile and a quarter south of the mouth of the Turkey River, on the end of a high ridge overlooking the Mississippi, consists of four mounds only, three conicals and one unique effigy which seems to represent a woman with arms up-raised and flexed. This effigy's proportions are generous, seventy by one hundred and forty-five feet. A quarter of a mile to the north are two lizards of about equal dimensions, accompanied by a linear and four conicals. Close by is a



MOUNDS ONE MILE SOUTH OF THE MOUTH OF THE TURKEY RIVER, CLAYTON COUNTY, ON NORTHEAST FORTY ACRES OF SECTION 13, TOWNSHIP 91, RANGE 2 WEST, FROM THE LEWIS-HILL SURVEY

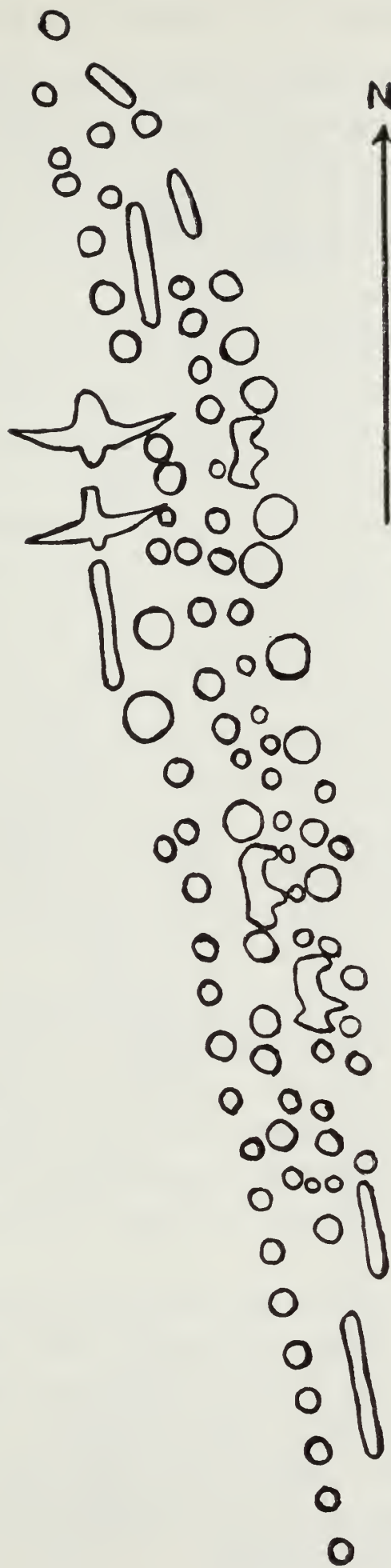
long-tailed animal with both tail and nose in the air in an attitude of keen attention. At his heels follows a stubby-

tailed quadruped. The effigies of mammals, it should be explained, are always seen in profile, lying generally on their right sides and with their noses pointed down stream. Reptiles and birds are as seen from above or below, and their suggested movement is also, as a rule, with or toward the water.



TURKEY RIVER GROUP OF MOUNDS, CLAYTON COUNTY, ON NORTH HALF OF THE  
NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 91, RANGE 2 WEST,  
FROM THE LEWIS-HILL SURVEY

The Turkey River Group, which stretches for half a mile along a high narrow ridge lying between the mouth of the Turkey River and the Mississippi flood plain, consists of an enclosure with ditch and ramparts, eight linear mounds following generally the line of the ridge, seventeen conical mounds disposed in rows along the ridge and in cross rows, a single long-tailed effigy, and two modified linears, each three hundred and ten feet in length and with seven conical mounds inclusive. The beautiful ridge, three hundred



SNY-MAGILL MOUND GROUP, CLAYTON COUNTY, ON SOUTHWEST FORTY ACRES OF  
SECTION 23, TOWNSHIP 94, RANGE 3 WEST, FROM THE LEWIS-HILL SURVEY



feet in height and forest crowned, the talus slopes with their timber covering, the vertical limestone walls that rise above these slopes, the fine views of a great river and a picturesque tributary all combine with the twenty-nine ancient earthworks to make impressions that the memory will long retain.

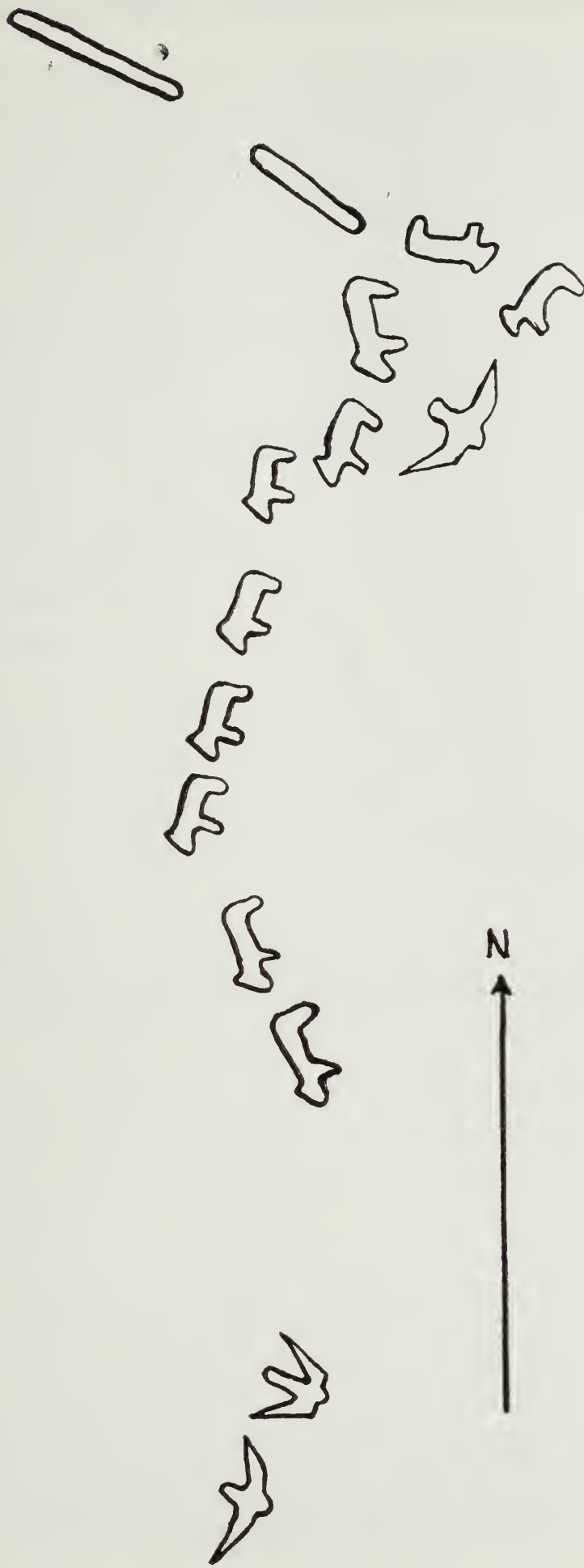
The Sny-Magill Mound Group, built on a terrace of the Mississippi River six miles below McGregor, consists of six linear mounds, three bear effigies, two bird effigies, each one hundred and seventy feet across the outstretched wings, one oval mound, and eighty-two conicals, ninety-four mounds in all, lying close together along a secondary channel of the river. This is probably the largest group of mounds remaining in the effigy-mound area and is one of the largest still extant in the United States.

The Jennings-Liephart Group, lying four hundred and fifty feet above the river a mile north of Marquette, with its two linears, three birds, and ten bear effigies, strung out in a great procession half a mile in length, is probably unequalled, location, composition, and perfect preservation all considered.

On the high bluff just north of the mouth of the Yellow River is another fine concentration of some forty conical, linear, and effigy mounds. Here the largest bear effigy known, seventy feet across his front legs and shoulders, one hundred and forty feet long and five feet high, lies by exception on his left side and has his nose directed upstream.

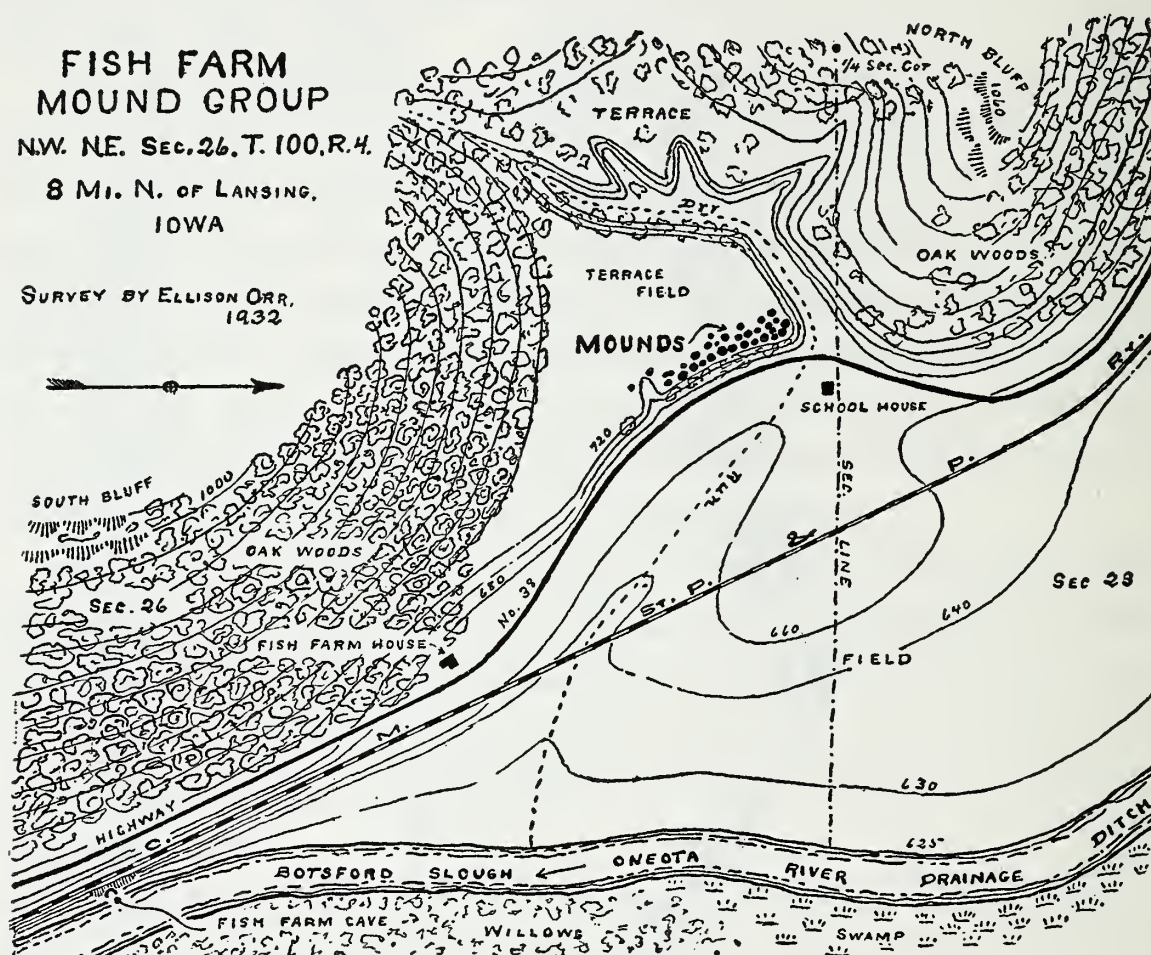
On a little five-acre terrace flanked by high bluffs, beside the road leading from Lansing to New Albin and about eight miles above the former, is a group that corresponds completely to all one's preconceptions of what Indian mounds ought to be. Thirty conical mounds, little and big, stand close together on an area scarcely one acre in extent. This is the Fish Farm Group.





JENNINGS-LIEPHART MOUND GROUP, CLAYTON COUNTY, ON SOUTHWEST FORTY  
ACRES OF SECTION 3, TOWNSHIP 95, RANGE 3 WEST, FROM THE  
LEWIS-HILL SURVEY

The above account lists only a part of the Indian mounds that crown the Mississippi bluffs of northeastern Iowa or cover the river terraces above the reach of high water at the foot of the bluffs. Between the mound groups men-



tioned, beginning in Dubuque County and running to the Minnesota line, a distance of about one hundred miles, smaller groups of mounds and single mounds, many of them of great interest, make the line of ancient earthworks almost continuous. No wonder then that Federal inspectors found material for national monuments in Iowa. Not that the Iowa mounds, as mounds, are necessarily finer specimens than those in other parts of the effigy-mound area. It is the combination of well-preserved mound groups with the unsurpassed scenery of the Upper Mississippi that gives the Iowa antiquities first preference.

How is it that great groups of Indian mounds of forms of rare and peculiar interest could lie on the terraces and bluffs of the Mississippi River since long before the history of the Northwest began and still be accorded so little attention by the millions of people who came to live later within easy traveling distances? Inaccessibility is the word that explains it all. As matters now stand, one must, as a rule, first travel a road that is not the easiest to negotiate, then climb a three or four-hundred-foot hill or force one's way through a long stretch of brush, sometimes both, only to find when one reaches the goal that the mounds themselves are so hidden in forest undergrowth as to be seen and studied only with real difficulty. Those fare the best who attempt the quest in winter, but it happens that most people want to view out-of-doors exhibits during the warmer parts of the year. Those who have once seen an Indian mound in the open, covered with close-cropped verdure, its regular and clear-cut lines testifying clearly to its creation as a work of men's hands, not of nature, can most easily visualize what the effect must be if a whole group of say thirty mounds — conicals, linears, and effigies — should once be uncovered so that they could be clearly seen as units and as a group. There is no doubt about it, people will travel far to see such exhibits when they are once made accessible. And this leaves no doubt either that a few, at least, of the outstanding mound groups should be permanently preserved.

How may such preservation be effected? The last quoted sentence from Mr. Albright's letter above states the two necessary provisions: approval by experts of the National Park Service of the areas selected and tender of these areas by the governments or citizens involved. The first provision has been met. The original inspection of the proposed national park area in 1931, while failing to



find conditions that would make feasible a national park, found reasons for and proposed the creation of national monuments. In July, 1932, Mr. Verne E. Chatelain, Chief Historian of the National Park Service, inspected most of the Iowa mound groups that have here been briefly described and was frankly enthusiastic over the prospect of national monuments in Iowa. This leaves then the second condition, acquisition and offer of the lands on which the mounds lie, to be worked out by the government and people of Iowa. No high-priced land is involved, so that a few thousand dollars only are called for. The monuments will become realities, of course, good times or bad, for Iowa has certainly not forgotten what a good bargain looks like.

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## HISTORICAL SETTING OF THE MOUND REGION IN NORTHEASTERN IOWA

The written history of Iowa had its beginnings in the northeast; it was the towering hills below McGregor that Joliet and Marquette saw on June 17, 1673, as they drifted out of the mouth of the Wisconsin River into the broad expanse of the Mississippi. For a century and a quarter following the exploration of the Lower Mississippi Valley by Hernando de Soto the Mississippi River had lain undisturbed by white men and almost unknown to the civilized world. The spark of geographic knowledge had been kindled, only to be snuffed out and forgotten, save the bitter memory of De Soto's disastrous expedition. Convinced that the Mississippi Valley possessed none of the wealth of Mexico or Peru, the rapacious Spaniards turned their attention to the south.

Meanwhile England, France, and Holland entrenched themselves along the Atlantic seaboard. The English founded Jamestown in 1607, the French countered with Quebec the following year, and the Dutch settled New Amsterdam on the Hudson in 1609. While both England and France played dramatic rôles in the history of the Upper Mississippi Valley, it is to France and her great colony of New France in North America that one must turn for the historic beginnings of northeastern Iowa.<sup>1</sup>

As early as 1603 Champlain, the discoverer of the Great Lakes, sailed up the St. Lawrence River over Cartier's route. On July 3, 1608, he disembarked at Quebec to found

<sup>1</sup> Bourne's *Spain in America*, Tyler's *England in America*, and Thwaites's *France in America* ( *The American Nation Series*, Vols. III, IV, VII); Goodwin's *Dutch and English on the Hudson* ( *The Chronicles of America Series*, Vol. VII).

the first permanent French settlement in New France. In 1609 he skirmished with the Iroquois on what is now known as Lake Champlain and gained their lasting enmity. Six years later he entered Georgian Bay and explored a portion of Lake Huron and Lake Ontario. In 1634, a year before his death, he ordered Jean Nicolet to continue his work and find the great sea which would lead the French to China.<sup>2</sup>

Jean Nicolet started westward to make peace between the Indians about Lake Michigan and the Hurons, allies of the French. He had heard of a nation without hair or beards who used huge wooden canoes instead of portable canoes of birch bark. Surely, he thought, these must be Chinese or Japanese, who came to this region in ships. Nicolet arrived in the Wisconsin country about Green Bay and donned "a grand robe of China damask, all strewn with flowers and birds of many colors", but instead of Chinese he encountered some filthy Winnebago Indians whose "women and children fled, at the sight of a man who carried thunder in both hands—for thus they called the two pistols that he held. The news of his coming quickly spread to the places round about, and there assembled four or five thousand men. Each of the chief men made a feast for him, and at one of these banquets they served at least sixscore beavers." Nicolet was successful in establishing peace between the Huron and Winnebago and returned to eastern Canada.<sup>3</sup>

Upon his return, Nicolet assured a Jesuit missionary that "if he had sailed three days' journey farther upon a great river which issues from this lake, he would have found the sea". The good father ventured to observe:

<sup>2</sup> Winsor's *Cartier to Frontenac*, pp. 77-155.

<sup>3</sup> Kellogg's *Early Narratives of the Northwest, 1634-1699*, pp. 9-16; Kellogg's *The French Régime in Wisconsin and the Northwest*, pp. 65-83.



“Now I have strong suspicions that this is the sea which answers to that North of new Mexico, and that from this sea there would be an outlet towards Japan and China. Nevertheless, as we do not know whither this great lake tends, or this fresh-water sea, it would be a bold undertaking to go and explore those countries.”<sup>4</sup>

Nicolet doubtless stimulated the French to renewed activity. More important, he was the first white man to meet the Winnebago in their homes about Green Bay. It was the ancient Winnebago whom many of the Wisconsin archeologists believed responsible for the effigy and linear mounds. Of Siouan stock, the Winnebago were plains Indians who had lived in Wisconsin long before the coming of the whites. The large number of the mounds as well as the size of the trees growing upon them clearly indicate a residence in this region two or three centuries before the voyage of Nicolet, and that the ancient tribe had a much larger membership than the Winnebago had in historic times.<sup>5</sup>

The next Frenchman whose account of travels to the Northwest has been preserved is Pierre Esprit Radisson. Radisson's manuscript, written for the information of Charles II, whose patronage the explorer desired, was found in the Bodleian Library at Oxford about 1880, more than two hundred years after it had been written. It was published by the Prince Society in 1885. Written in a quaint English style, Radisson describes four voyages in New France partly by himself and partly in company with his brother-in-law, Medart Chouart Sieur de Groseilliers. Students of western history have been puzzled both as to the exact date and the extent of the travels of these in-

<sup>4</sup> Thwaites's *The Jesuit Relations*, Vol. XVIII, p. 237.

<sup>5</sup> Kellogg's *The French Régime in Wisconsin and the Northwest*, pp. 71-75; Keyes's *Prehistoric Cultures in The Palimpsest*, Vol. VIII, p. 227. More recently some archeologists have advanced the belief that the mounds were erected by Indians of a woodland stock.

trepid Frenchmen. The portion of Radisson's journal which has struck some historians as possibly alluding to the Mississippi River and the Iowa country follows:

We weare 4 moneths in our voyage wthout doeing any thing but goe from river to river. We mett severall sorts of people. We conversed wth them, being long time in alliance wth them. By the persuasion of som of them we went into ye great river that divides itselfe in 2, where the hurrons wth some Ottanake & the wild men that had warrs wth them had retired. . . . This nation have warrs against those of [the] forked river. It is so called because it has 2 branches, the one towards the west, the other towards the South, wch we believe runs towards Mexico, by the tokens they gave us.<sup>6</sup>

A number of scholars are firmly convinced that Radisson and Groseilliers discovered the Upper Mississippi before Joliet and Marquette did, and that they traveled in what is now Iowa and Minnesota. The association of the voyage of Radisson and Groseilliers with the Mississippi River was given added weight by Perrot's memoirs which chronicled the precipitate flight of the Hurons and Ottawas before the Iroquois. The portion of this journal relating directly to the Iowa country and incidentally to the effigy mound region tells of a brief foray by these Hurons and Ottawas on the Upper Iowa River before they moved to the island on the Mississippi above Lake Pepin where Radisson and Groseilliers are believed to have visited them. Perrot tells the following story:

When all the Ottawas were scattered toward the lakes, the

<sup>6</sup> Scull's *Voyages of Peter Esprit Radisson*, pp. 167, 168. The voyages of Radisson and Groseilliers have led to much bickering among students of western history and scores of controversial articles and monographs have appeared on the subject.—Upham's *Groseilliers and Radisson, the First White Men in Minnesota, 1655-56, and 1659-60, and Their Discovery of the Upper Mississippi* in the *Minnesota Historical Collections*, Vol. X, Pt. II, pp. 449-594. Miss Kellogg, in *The French Régime in Wisconsin and the Northwest*, is "not disposed to consider Radisson as the discoverer of the Mississippi River".



Saulteurs [Ojibway] and Missisakis [who had lived on the north shore of Lake Huron] fled to the north, and then to Kionconan [Keweenaw], for the sake of hunting; and the Ottawas, fearing that they would not be sufficiently strong to resist the incursions of the Iroquois, who would be informed of the place where they had made their settlement, fled for refuge to the Mississippi river, which is called at the present time the Louisianne. They ascended this river to the distance of a dozen leagues or thereabout from the Wisconsin river, where they found another river which is called the river of the Iowas [Upper Iowa]. They followed it to its source, and there encountered tribes who received them kindly. But in all the extent of country which they passed through having seen no place suitable for their settlement, by reason that there was no timber at all, and that it showed only prairies and smooth plains, though buffaloes and other animals were in abundance, they resumed their same route to return upon their steps; and after having once more reached the Louisianne, they went higher up.<sup>7</sup>

In 1672, the Governor of New France sent Louis Joliet to make certain that the Great River of the West flowed into the Gulf of California in order that a passage could be opened to the Indies. Joliet was a natural rover — intelligent, experienced, and faithful. As a boy of thirteen he had drawn a map of the Gulf of St. Lawrence that had been placed in the navy office in Paris. He set out alone from Montreal in the fall of 1672 and reached the little mission of St. Ignace on the Strait of Mackinac that December. There Father Jacques Marquette, a young Jesuit priest, joined him on his great adventure. After a winter of careful preparation Joliet and Marquette left St. Ignace on May 17, 1673.

On June 17, 1673, just a month later, propelled by their

<sup>7</sup> Upham's *Groseilliers and Radisson* in the *Minnesota Historical Collections*, Vol. X, Pt. II, pp. 523, 524; Hill's *The Geography of Perrot* in the *Minnesota Historical Collections*, Vol. II, pp. 200–214. In his *Minnesota (Memoirs of Explorations of the Basin of the Mississippi)*, Vol. VI, J. V. Brower dissents sharply from Upham. Albert M. Goodrich and Grace Lee Nute continue the debate in the September, 1932, issue of *Minnesota History*.



five rugged *voyageurs*, Joliet and Marquette sped swiftly down the Wisconsin River and out into the broad expanse of the Mississippi, just below the site of McGregor, Iowa. Directly across the river Marquette noted "a large Chain of very high Mountains". The Mississippi was "Divided by Islands" and as the Frenchmen "gently followed its Course" Marquette was filled with an inexpressible joy at the beauty of the scenery about him. As they swung downstream the mountains gradually fell away, the islands seemed "more beautiful" and studded with fine trees while the prairies were "fairly covered with deer and cattle". Such was the description of the northeastern Iowa region as it was seen by the first white men to view the soil of Iowa.<sup>8</sup>

These trail-blazers were followed by a steady infiltration of fur traders, miners, missionaries, explorers, soldiers, and adventurers into the Upper Mississippi Valley. Shortly after the voyage of Joliet and Marquette, in the spring of 1680, La Salle sent Michel Accault, Antoine Auguel, and Father Louis Hennepin to ascend the River "Meschasipi" and explore the northern country. Accault was chosen to head this expedition. Captured by the Sioux somewhere below Lake Pepin, Accault and his companions were hurried northward to the region about Leech Lake in present-day Minnesota. Here, after a seemingly interminable captivity, they were found and rescued by the famous French *coureur de bois*, Daniel Greysolon Du Lhut (Duluth), who with four companions had come into the Sioux country from the region of Lake Superior. Du Lhut was a man of much influence with the Sioux and succeeded in rescuing Accault and his companions. Together the eight

<sup>8</sup> Weld's *Joliet and Marquette in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. I, pp. 3-16; Thwaites's *France in America*, pp. 54-56; Steck's *The Joliet-Marquette Expedition, 1673*, Vol. VI.

Frenchmen set out down the Mississippi to the Wisconsin River and proceeded eastward across the portage into the Fox River and to the mission at St. Ignace. Thus was preserved a record of the exploits of the second voyage past the effigy mound region.<sup>9</sup>

Nicolas Perrot was the next Frenchman to visit the region of northeastern Iowa. Born in 1644, Perrot had begun his life among the Indian tribes of the Great Lakes region as early as 1665. During the next forty years or more he served as *coureur de bois* and fur trader, explorer, agent of the French government at Quebec, and *engagé* to the Jesuit missionaries. His faithful service had won for him the title "Commander of the West" in 1685, and soon afterwards he had begun the construction of Fort St. Nicolas at the mouth of the Wisconsin River and Fort Perrot and Fort St. Antoine on Lake Pepin. Thus the period of earliest white settlement at Prairie du Chien goes back almost to the date of the founding of Philadelphia by William Penn. In emulation of Luson, Perrot took possession of the land drained by the Mississippi on May 8, 1689, amid the chanting of Latin hymns, shouts of "*vive le roi*", and salvos of musketry. Staring savages viewed these performances with wonder and amazement. In 1690, at the request of the Miami Indians, Perrot built a trading post in the lead region and probably operated mines on both sides of the river. His men, it is said, penetrated hundreds of miles beyond these outposts.<sup>10</sup>

In 1700 Pierre Le Sueur passed the effigy mound region with a felucca (sailing vessel) and two canoes manned by nineteen men. Penicaut, one of his companions, has left the following description of the northeastern Iowa region:

<sup>9</sup> Parish's *Michel Aco — Squaw Man* in *The Palimpsest*, Vol. II, pp. 161-177.

<sup>10</sup> Petersen's *Perrot's Mines* in *The Palimpsest*, Vol. XII, pp. 405-413.



When we had passed these rapids, [Rock Island or Upper Rapids] which made us very tired, we found upon the right and the left mines of lead which are called to this day the Mines of Nicolas Perrot, which is the name of the man who discovered them. Twenty leagues higher up on the right, we found the mouth of a big river called the Ouisconsin. Opposite its mouth there are four islands in the Mississippi and a mountain opposite to the left, very high, half a league long.<sup>11</sup>

Meanwhile French cartographers were not idle. As the explorers, missionaries, fur traders, and soldiers penetrated deeper into the wilderness new lakes, rivers, and Indian tribes were discovered. When Perrot returned to the St. Lawrence region during the winter of 1687-1688, he met the king's hydrographer, Jean Baptiste Franquelin, to whom he gave much information about the Upper Mississippi Valley. Franquelin also secured information from Tonty and Du Lhut which he included in his great map of 1688, the most complete map of New France issued in the Seventeenth Century. Fort Nicolas appears on this map located on the east bank of the Mississippi just above the mouth of the Wisconsin River.<sup>12</sup>

Of greater significance in the history of the effigy mound region are the maps of William Delisle, the royal geographer of France and the "foremost cartographer" of his time. On Delisle's map of 1700 a road of the fur traders appears which penetrates deep into the Iowa country from a point a few miles above the mouth of the Wisconsin

<sup>11</sup> Shea's *Early Voyages Up and Down the Mississippi*, pp. 89-111; *Le Sueur's Voyage Up the Mississippi* in the *Wisconsin Historical Collections*, Vol. XVI, pp. 177-193; Kellogg's *The French Régime in Wisconsin and the Northwest*, pp. 251, 252, 260, 274, 275; Margry's *Decouvertes et Etablissements Des Français Dans L'Ouest et Dans le Sud de L'Amerique Septentrionale (1614-1754)*, Vol. V, p. 412; Van der Zee's *French Discovery and Exploration of the Eastern Iowa Country Before 1763* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XII, pp. 338-340.

<sup>12</sup> Kellogg's *The French Régime in Wisconsin and the Northwest*, pp. 236, 237, and map opposite page 1.



River. Delisle's map of 1703 is of even greater interest because of its wealth of details and nomenclature and its delineation of the interior west of the Great Lakes. Here the road of the fur traders stretches out across the *R. des Moingona* (Des Moines) to the Missouri, striking that stream below the mouth of *R. des Panis* (Platte). On his map of 1718 Delisle labels this first river-to-river road the *Chemin des Voyageurs* or road of the traders. Commencing almost opposite the mouth of the Wisconsin, this road ran due westward across the Des Moines, skirted the Okoboji and Spirit lakes which are shown to be connected with the *R. des Aiaouez* (Iowa — but really Little Sioux), and continuing onward to the *R. du Rocher* (Rock — but probably the Big Sioux) which it struck at a point some distance above the junction of that stream with the Missouri. Beginning as it does in one of the ravines that cut back from the effigy mound regions about present day McGregor, the *Chemin des Voyageurs* immediately challenges the imagination. One wonders how many intrepid French *voyageurs* and *coureur de bois* traveled this lonely, unmarked trail which, a century before Thomas Jefferson purchased Louisiana, was so well known that it enjoyed a distinct place on the outstanding maps of that colorful period.<sup>13</sup>

For a century daring French explorers and soldiers, traders and miners, and black-robed priests had been penetrating deep into the interior of North America. Each was intent upon his own mission — adventure, or the conquest, conversion, or exploitation of the savages. But the Indians were loath to give up their old habits and customs. By the beginning of the Eighteenth Century, however, they had lost much of their former economic independence. Each year found them more dependent on the white traders for gaudy glass beads, silver and copper ornaments, blan-

<sup>13</sup> Paullin's *Atlas of the Historical Geography of the United States*.

kets, fire arms, and especially whisky. To pay for the white man's goods they had ventured deep into the wilderness of the Upper Mississippi Valley in quest of furs and pelts. Rich returns seemed at last to be assured the French for their vigorous colonizing efforts.

Just at this time the Fox Indians, who had stubbornly resisted the French civilizing process, took up the tomahawk. Living on the Fox River in Wisconsin, they commanded the Fox-Wisconsin route, and thereby presented an effective barrier to the Mississippi. The fur trade of the entire Upper Mississippi Valley was on the verge of ruin as the Foxes relentlessly plied their scalping knives on the hapless allies of the French. For a quarter of a century the bloody contest continued and the effigy mound region and the *Chemin des Voyageurs* were all but deserted. In 1733 the Sacs made an alliance with the Foxes and fled westward across the Mississippi. The French pursued the allies and on April 19, 1735, forty years before the battles of Lexington and Concord, an indecisive battle was fought near the present site of Des Moines between the combined Sacs and Foxes and the French and their Indian allies under Captain Joseph des Noyelles.<sup>14</sup>

Anxious to restore peace among the western tribesmen and to protect the Illinois from the Sioux, the Governor General of Canada sent Pierre Paul Sieur Marin to the Sioux territory with orders to build a fort, watch the movements of the Sioux, and attempt to bring the Sac, Fox, and Winnebago back to the Green Bay region. According to well authenticated tradition Marin erected a post at the head of Sny Magill slough in 1738. It was, apparently, the first fort built in the Iowa country and seems to have stood

<sup>14</sup> Briggs's *When Iowa Was Young* in *The Palimpsest*, Vol. VI, pp. 117-127; Van der Zee's *French Expedition Against the Sac and Fox Indians in the Iowa Country, 1734-1735*, in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XII, pp. 245-261.



on the approximate site of one of the most important groups of mounds in northeastern Iowa. Marin also seems to have erected posts at the mouth of the Wapsipinicon River and at the confluence of the Rock River with the Mississippi. Feared, respected, and beloved by the western Indians, Marin succeeded in restoring a temporary peace among the tribes, but Fort Marin, never more than a simple trading post, was early abandoned and forgotten by all but a few of the older settlers about Prairie du Chien.<sup>15</sup>

By the middle of the Eighteenth Century France was engaged in a death struggle with England and her colonists along the Atlantic seaboard. At the conclusion of the French and Indian Wars, in 1763, the victorious English were permitted to choose between the tiny sugar island of Guadaloupe and Canada. England chose the latter and France accordingly gave up all claim to her great colony of New France, and the way to the effigy mound region was secured by the British. All the country west of the Mississippi, including the effigy mound region, France had given to Spain by a secret treaty signed in 1762.<sup>16</sup>

The acquisition of this vast domain awakened a new interest in the nature of the country, its wealth in furs, pelts, and minerals, and its Indian inhabitants. Everyone in America and England was eager to learn about the West, if for no other reason than the romantic appeal of strange lands and strange people. In June of 1766, a Connecticut Yankee, named Jonathan Carver, a man of education and good repute, set out from Boston to explore the region

<sup>15</sup> Van der Zee's *Forts in the Iowa Country* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XII, pp. 165, 166; *Wisconsin Historical Collections*, Vol. IX, p. 286; *Proceedings of the State Historical Society of Wisconsin*, 1907, pp. 178-181. Fragmentary items on Marin may be gleaned from the first twenty volumes of the *Wisconsin Historical Collections* for which see *Index*. Miss Kellogg refers to Pierre Paul Marin as Paul de la Marque Marin.—*The French Régime in Wisconsin and the Northwest*, pp. 323, 324.

<sup>16</sup> Thwaites's *France in America*, pp. 143-280.



about and beyond the Great Lakes. Having served as a captain in the French and Indian War, Carver declared he had begun to consider how he "might continue still serviceable, and contribute, as much as lay in my power, to make that vast acquisition of territory, gained by Great Britain, in North America advantageous to it. It appeared to me indispensably needful, that Government should be acquainted in the first place with the true state of the dominions they were now become possessed of. To this purpose, I determined, as the next proof of my zeal, to explore the most unknown parts of them, and to spare no trouble or expence in acquiring a knowledge that promised to be so useful to my countrymen."

Carver set out from Boston in June, 1766, and proceeded to Michilimackinac, by way of Albany and Niagara. After arranging for obtaining supplies, he left Mackinac Island, and plunged westward into the wilderness. More than a month was required to skirt the shore of Lake Michigan, paddle down Green Bay, ascend the Fox River, and portage to the Wisconsin River. A week later the first American known to have visited Iowa gazed across the Mississippi at a "mountain of considerable height". Let Carver tell his own story while he traverses the northeastern Iowa region in the fall of 1766.

On the 15th we entered that extensive river the Mississippi. The Wisconsin, from the Carrying Place [Portage] to the part where it falls into the Mississippi, flows with a smooth but a strong current; the water of it is exceedingly clear, and through it you may perceive a fine and sandy bottom, tolerably free from rocks. In it are a few islands, the soil of which appeared to be good, though somewhat woody. The land near the river also seemed to be, in general, excellent; but that at a distance is very full of mountains, where it is said there are many lead mines.

About five miles from the junction of the rivers, I observed the ruins of a large town in a very pleasing situation. On enquiring of

the neighbouring Indians why it was thus deserted, I was informed, that about thirty years ago, the Great Spirit had appeared on the top of a pyramid of rocks, which lay at a little distance from it, towards the west, and warned them to quit their habitations; for the land on which they were built belonged to him, and he had occasion for it. As a proof that he, who gave them these orders, was really the Great Spirit, he further told them, that the grass should immediately spring up on those very rocks from whence he now addressed them, which they knew to be bare and barren. The Indians obeyed, and soon after discovered that this miraculous alteration had taken place. They shewed me the spot, but the growth of the grass appeared to be no way supernatural. I apprehend this to have been a stratagem of the French or Spaniards to answer some selfish view, but in what manner they effected their purposes I know not.

This people, soon after their removal, built a town on the bank of the Mississippi, near the mouth of the Ouisconsin, at a place called by the French *La Prairies les Chiens*, which signifies the Dog Plains; it is a large town, and contains about three hundred families, the houses are well built after the Indian manner, and pleasantly situated on a very rich soil, from which they raise every necessary of life in great abundance. I saw here many horses of a good size and shape. This town is a great mart, where all the adjacent tribes, and even those who inhabit the most remote branches of the Mississippi, annually assemble about the latter end of May, bringing with them their furs to dispose of to the traders. But it is not always that they conclude their sale here; this is determined by a general council of the chiefs, who consult whether it would be more conducive to their interest, to sell their goods at this place, or carry them on to Louisiana, or Michillimackinac. According to the decision of this council they either proceed further, or return to their different homes.

The Mississippi at the entrance of the Ouisconsin, near which stands a mountain of considerable height, is about half a mile over; but opposite to the last mentioned town it appears to be more than a mile wide, and full of islands, the soil of which is extraordinarily rich, and but thinly wooded.

A little farther to the west, on the contrary side, a small river falls into the Mississippi, which the French call *Le Jaun Riviere*, or the Yellow River. Here the traders who had accompanied me



hitherto, took up their residence for the winter. I then bought a canoe, and with two servants, one a French Canadian, and the other a Mohawk of Canada, on the 19th proceeded up the Mississippi.

Carver wintered in the wilds of present-day Minnesota, returned to Mackinac the following year, and in 1768 was back in Boston. Unable to publish his volume of travels he sailed for England in 1769, where he engaged in literary work during the remainder of his life. The first edition of his *Travels* which included his description of the effigy mound region appeared in 1778. Carver died in poverty in 1780 and was buried in pauper's ground in England.<sup>17</sup>

Another Connecticut Yankee, Peter Pond, a man who was brave in heart but poor in spelling, came to the effigy mound region in 1773. Like Jonathan Carver, Pond had participated in the French and Indian War. At the age of sixteen he made a voyage to the West Indies. In 1773 he formed a partnership with a "Gentelman" in New York and engaged in trade about Detroit. Pond went into the "Entearer Part of the Countrey first to Mishlemackanack from thenst to the Mississippey and up Sant Peters River & into the Plains Betwene the Mississippey & the Miseurea".

Here is a description of the incidents of Pond's visit to the effigy mound region following a day's stay at a Fox Indian village located near the site of Muscoda:

After Suplying myself with such Artickels as I wanted and thay Had to Spare I gave them Sum Creadeat and Desended the River [Wisconsin] to the Mouth which Emteys into the Masseippey and Cros that River and Incampt. The Land along the River as you desend Apears to be Exalant. Just at Night as we ware Incampt

<sup>17</sup> Carver's *Travels Through the Interior Parts of North-America, in the Years 1766, 1767, and 1768*; Briggs's *Two Connecticut Yankees in The Palimpsest*, Vol. VII, pp. 15-29. See also Volume III of the *Dictionary of American Biography*.



we Perseaved Large fish Cuming on the Sarfes of the Water I had then a Diferant trader with me who had a number of Men with him. We were Incampt Near Each other. We Put our Hooock and Lines into the Water and Leat them Ly all nite. In the Morning we Perseaved thare was fish at the Hooocks and went to the Wattr Eag [water's edge] and halld on our line. Thay Came Heavey. At Lengh we halld one ashore that wade a Hundered and four Pounds — a Seacond that was One Hundered Wate — a third of Seventy five Pounds. The Men was Glad to Sea this for thay Had not Eat mete for Sum Days nor fish for a long time. We asked our men How meny Men the Largest would Give a Meale. Sum of the Largest Eaters Sade twelve men Would Eat it at a Meal. We Agread to Give ye fish if thay would find twelve men that would undertake it. Thay Began to Dres it. The fish was what was Cald the Cat fish. It Had a large flat Head Sixteen Inches Betwene the Eise. Thay Skind it — Cut it up in three larg Coppers Such as we have for the Youse of our men. After it was Well Boild thay Sawd it up and all Got Round it. Thay Began and Eat the hole without the least thing with it But Salt and Sum of them Drank of the Licker it was Boild in. The Other two was Sarved out to the Remainder of the People who finished them in a Short time. Thay all Declard thay felt the Beater of thare Meale Nor did I Perseave that Eney of them ware Sick or Complained. Next Morning we Recrost ye River which was about a Mile Brod and Mounted about three Miles til we Come to the Planes of the Dogs [Prairie du Chien] so Cald the Grate Plase of Rondavues for the traders and Indans Before thay Dispars for thare Wintering Grounds. Hear we Meat a Larg Number of french and Indans Makeing out thare arangements for the InSewing winter and sending of thare cannoes to Differant Parts — Like wise Giveing Creadets to the Indans who ware all to Rondoveuse thare in Spring. I Stayed ten days Sending of my men to Differant Parts. I had Nine Clarks which I Imploid in Differant Rivers that fel into the River.

Pond now set out from Prairie du Chien with two traders for the St. Peter's or Minnesota River. Along the Mississippi they found "Plenty of fat Gease and Duks with Venson — Bares Meat in abandans". They built "Comfortbel Houseis" and commenced trading. The following spring

Pond returned to the "Planes of the Dogs" which he described as "Very Handsom". The next year he gave the following picture of the activity about Prairie du Chien:

The Waters Sun went of or fell and we Imbarkt & Drifted Down with the Currant till we Came to the Plane whare we Saw a Large' Colection from Eavery Part of the Misseppey who had arived Before us — Even from Orleans Eight Hundred Leages Belowe us. The Indans Camp Exeaded a Mile & a half in Length. Hear was Sport of All Sorts. We went to Colecting furs and Skins . . . . By the Differant tribes with Sucksess. The french ware Veray Numeres. Thare was Not Les than One Hundred and thirtey Canoes which Came from Mackenaw Caring from Sixtey to Eightey Hundred wate Apease all Made of Birch Bark and white Sedar for the Ribs. Those Boates from Orleans & Ilenoa and other Parts ware Numeres. But the natives I have no true Idea of thair Numbers. The Number of Packs of Peltrey of Differant Sorts was Cald fifteen Hundred of a Hundred wt Each which went to Mackana. All my outfits had Dun well. I had Grate Share for my Part as I furnish Much the Largest Cargo on the River. After all the Bissness Was Dun and People Began to Groe tirde of Sport, thay Began to Draw of for thare Differant Departments and Prepare for the Insewing winter.<sup>18</sup>

The travels of Jonathan Carver and Peter Pond represent two Connecticut Yankees, subjects of George III, trespassing in territory that belonged to the Spanish Crown. England remained in possession of the land east of the Mississippi until the close of the War of Independence. Curiously, while the Revolutionary War was confined largely to the thirteen colonies along the Atlantic seaboard, the shock of the struggle was felt in the valley of the Upper Mississippi. The exploits of George Rogers Clark in the Illinois country are familiar to most Americans. Iowans ought not, however, to overlook the battle at the mouth of

<sup>18</sup> *Journal of Peter Pond* in the *Wisconsin Historical Collections*, Vol. XVIII, pp. 314–354; Briggs's *Two Connecticut Yankees* in *The Palimpsest*, Vol. VII, pp. 15–29.



the Turkey River during the Revolutionary War as the English sought revenge for their defeats at the hands of George Rogers Clark.

In the spring of 1780, with Spain aiding the colonies in the war for American independence, the British determined to attack Spanish Louisiana. St. Louis was the objective of an expedition which was planned by Lieutenant Governor Patrick Sinclair at Michilimackinac. Captain Emmanuel Hesse was ordered to collect a force of men and supplies and proceed to attack the Spanish forces at St. Louis without delay.

The British bent every effort to insure a victory. Learning of the presence of an armed boat on the Upper Mississippi, Hesse sent some troops to intercept it. Led by Lieutenant Alexander Kay, the British easily captured the boat and its crew of "twelve men & a Rebel Commissary" at the mouth of the Turkey River. Kay and his motley array of Indian allies then proceeded to the lead mines where they surprised and captured "seventeen Spanish & Rebel Prisoners, & stopp'd Fifty Tons of Lead ore" from falling into the enemy's hands. An assortment of provisions, peltries, tobacco, and rum was also seized in the two skirmishes. Lieutenant Governor Sinclair was jubilant and immediately dispatched a letter to his superior imparting the news and adding: "A part of the Menominis who are come here, some Puants, Sacks & Rhenards go immediately to watch the Lead mines. Orders will be published at the Illenois for no person to go there, who looks for receiving Quarter, and the Indians have orders to give none to any without a British Pass."<sup>19</sup>

At the close of the Revolutionary War the victorious Americans were given the territory east of the Mississippi. The United States and Spain now faced each other on oppo-

<sup>19</sup> Petersen's *Jean Marie Cardinal* in *The Palimpsest*, Vol. XII, pp. 414-420.



site sides of the Father of Waters. The great distance which intervened between the mouth of the Wisconsin River and New Orleans — St. Louis itself was five hundred miles down the river from the effigy mound region — made Spain's task of government exceedingly difficult, for the French-Canadian subjects of Great Britain were constantly making incursions into Spanish territory west of the Mississippi. To ward off these interlopers Spain determined to extend her system of land grants northward.

Three land grants were made by Spain in what is now Iowa. Julien Dubuque was granted permission to work the "Mines of Spain" on November 10, 1796. This insured the protection of the lead mines which lay at the southern extremity of the effigy mound region. Three years later, on March 30, 1799, Louis Honoré Tesson acquired a tract of land in what is now Lee County. Located near the junction of the Des Moines with the Mississippi this grant was expected to protect Spanish interests on both streams. No satisfactory protection was yet afforded the region about the mouth of the Wisconsin and the old *Chemin des Voyageurs* lay open to the incursions of countless fur traders, but on November 20, 1800, Governor Charles Dehault Delassus of Upper Louisiana granted to Basil Giard a tract of land containing about 5760 acres, including the site of Marquette, Iowa, and part of the site of McGregor. In return, Giard was to "help with all means in his power, the travelers who should pass his house, as he has done hitherto — and to preserve a good understanding between the Indian nations and our government, as well as to inform us with the greatest care of all the news which he shall gather, and which could affect the peace and property of our settlements." The Giard land grant extended for 1½ miles along the Mississippi and 6 miles inland. It was the northernmost grant of Spain along the Mississippi and was situated

in the very heart of the effigy mound region in northeastern Iowa.<sup>20</sup>

Spain retained Louisiana until October 1, 1800, when Napoleon, during a brief lull in his continental struggle, forced Spain to sign the treaty of San Ildefonso retroceding the Isle of Orleans and all territory west of the Mississippi to France. Basil Giard's grant was actually made after the signing of this treaty but provision had been made for the recognition of all Spanish land grants. Napoleon's dream of an empire in the West was rudely broken by the prospects of a new war with England. An immediate purchaser was needed to prevent England from seizing Louisiana, and Thomas Jefferson acquired this territory by a treaty signed at Paris on April 30, 1803.

On July 30, 1805, Lieutenant Zebulon Montgomery Pike received orders from General James Wilkinson to explore the eastern border of the Louisiana Purchase, follow the Mississippi to its sources, and note the rivers, prairies, islands, mines, quarries, and timber, as well as the Indian villages and settlements. Pike was further instructed to keep a journal in which the distance traveled and the state of the weather was to be carefully noted. Finally, he was to endeavor to conciliate the Indians and select suitable locations for military posts.

On August 9, 1805, Pike left St. Louis in a keelboat with a party of twenty men and provisions for four months. He reached Keokuk on August 19th and proceeded along the eastern border of Iowa for about three weeks. Arriving at Dubuque's lead mines on Sunday, September 1st, Pike was

<sup>20</sup> Scanlan's *Basil Giard and His Iowa Land Claim* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXX, pp. 219-230; Quigley's *The Giard Tract* in *The Palimpsest*, Vol. XII, pp. 1-6; Harlan's *Claim of Basil Giard* in the *Annals of Iowa* (Third Series), Vol. XVI, pp. 622-627; Petersen's *Some Beginnings in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVIII, pp. 12-15.



“saluted with a field-piece, and received with every mark of attention by Monsieur Dubuque, the proprietor”. The intrepid Americans were now at the southernmost limit of the effigy mound region in Iowa. Proceeding northward they encamped on the following day opposite the mouth of the Turkey River. “In the course of the day”, Pike relates, “we landed to shoot pigeons. The moment a gun was fired, some Indians, who were on the shore above us, ran down and put off in their pirogues with great precipitation”. Pike was told that “all women and children were frightened at the very name of an American boat”, and that the men held them in “great respect” considering the Americans “very quarrelsome, much for war, and also very brave.”

Breakfasting just below the Wisconsin on September 4th, Pike arrived at Prairie du Chien about eleven o'clock that morning. The following day he set out in a “Schenectady boat” for the mouth of the “Ouisconsin” in order to take the latitude and look at the situation of the adjacent hills for a post. Crossing to the west bank of the Mississippi, Pike ascended the hill and “made choice of a spot which I thought most eligible, being level on the top, having a spring in the rear, and commanding a view of the country around. A shower of rain came on which completely wet us, and we returned to the village without having ascended the Ouisconsin as we intended. Marked four trees with A. B. C. D., and squared the sides of one in the center. Wrote to the general.”<sup>21</sup>

Such, briefly, were the incidents surrounding Pike's visit to Pike's Peak, or Pike's Hill, below McGregor when he recommended it in a letter as a suitable site for a military post. To commemorate the memory of this dashing young

<sup>21</sup> Coues's *The Expeditions of Zebulon Montgomery Pike*; Martin's *The Expedition of Zebulon Montgomery Pike to the Sources of the Mississippi* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. IX, pp. 335-358.



officer his name is still attached to what Marquette described as a mountain.

In the years immediately following the visit of Pike to the effigy mound region the quest for furs and pelts continued. Many British traders penetrated deep into American territory. The outbreak of the War of 1812 accordingly found the English in a favorable position to regain the land they had lost at the close of the American Revolution. So aggressive were the British that Governor Ninian Edwards of Illinois Territory wrote Secretary of War John Armstrong on March 27, 1813, as follows: "If the British erect a fort at the mouth of the Wisconsin, and should be able to retain it two years, this and Missouri Territory will be totally deserted—in other words, conquered."

A military expedition accordingly left St. Louis on May 1, 1813, for Prairie du Chien where a stockade post was erected and christened Fort Shelby in honor of Isaac Shelby, the Governor of Kentucky. Mid-July found an army of over five hundred redskins and seventy-five Canadians who called themselves Michigan Fencibles, boldly attacking the new post. Although greatly outnumbering the Americans, the attacking force was not so well equipped with field pieces. Despite this deficiency they forced the surrender of Fort Shelby on July 20, 1813. The post was renamed Fort McKay in honor of the British commander who had led the attack.

The War of 1812 was replete with reverses for the Americans in the Mississippi region. The burning of Fort Madison, the Battle of Campbell's Island, the surrender of Fort Shelby, and the repulse of Major Zachary Taylor at Credit Island were disheartening incidents.

At the conclusion of the war Fort McKay was burned and the Americans promptly commenced the erection of a

new fort. Built in 1816 under the direction of Colonel William S. Hamilton, a son of Alexander Hamilton, and named Fort Crawford in honor of the Secretary of War, this post was for many years the center of activity for the entire effigy mound region. Many famous characters were associated with its early history including Zachary Taylor, later President of the United States, and Lieutenant Jefferson Davis, who was to become President of the Confederacy during the Civil War.<sup>22</sup>

Many noted travelers visited Fort Crawford. Early in the summer of 1817 Major Stephen H. Long made a journey in a six-oared skiff up the Mississippi to the Falls of St. Anthony. Lord Selkirk stopped at Fort Crawford in the spring of 1818 en route from his Red River Colony to Washington, D. C. Lieutenant Colonel Henry Leavenworth visited the post the following year while Governor Lewis Cass of Michigan Territory and Henry Schoolcraft were outstanding visitors in 1820. When the steamboat *Virginia*, the first craft to churn the waters of the Upper Mississippi, arrived at Fort Crawford in 1823, with Giacomo Constantine Beltrami aboard, the Italian exile and author made particular note of a "wretched wooden fort, named fort Crawford", which stood south of the village of Prairie du Chien. Noted travelers visited the region in the years that followed and almost every one left some fragmentary account of his experiences.<sup>23</sup>

Perhaps the most colorful gathering ever witnessed in the Upper Mississippi Valley was the Great Council of 1825 at Prairie du Chien. This council was a sincere effort on the part of the government to secure peace among the warring Indian tribes and to establish definite boundaries

<sup>22</sup> Mahan's *Old Fort Crawford and the Frontier*, Ch. V.

<sup>23</sup> Mahan's *Old Fort Crawford and the Frontier*, pp. 74-88; Petersen's *The Voyage of the Virginia in The Palimpsest*, Vol. XIII, pp. 309, 310.



between them. The bitter feuds between the Sioux and the Chippewa and the bloody clashes between the Sioux and the combined forces of the Sac and Fox particularly annoyed the government. Accordingly, Sioux and Chippewa, Sac and Fox, Menominee, Iowa, Winnebago, and a portion of the Ottawa and Pottawattamie gathered about Prairie du Chien and Fort Crawford in the summer of 1825. Each tribe endeavored to put on the most impressive appearance, forming in columns, with flags flying, drums beating, and guns firing. According to Henry Schoolcraft, Indian Agent for the Chippewa, "no tribes attracted as intense a degree of interest as the Iowas, and the Sacs and Foxes — tribes of radically diverse languages, yet united in a league against the Sioux". These tribes, because of their late arrival, were encamped on Horseshoe Island opposite Prairie du Chien, and on the present site of McGregor.

Schoolcraft describes them as coming to the council equipped for war. "They were all armed with spears, clubs, guns and knives. Many of the warriors had a long tuft of red-horse hair tied at their elbows, and bore a necklace of grizzly bears' claws. Their head-dress consisted of red dyed horse-hair, tied in such manner to the scalp lock as to present the shape of the decoration of a Roman helmet. The rest of the head was completely shaved and painted". They were nearly nude and painted hideously. Many bore the imprint of a hand marked in white clay upon the back and shoulders. Schoolcraft further observed that the Sac and Fox "bore flags of feathers. They beat drums. They uttered yells, at definite points. They landed in compact ranks. They looked the very spirit of defiance. Their leader [Keokuk] stood as a prince, majestic and frowning. The wild, native pride of man, in the savage state, flushed by success in war, and confident in the strength of his arm, was never so fully depicted to my eyes. And the forest



tribes of the continent may be challenged to have ever presented a spectacle of bold daring, and martial prowess, equal to their landing.”

William Clark, of Lewis and Clark fame, and Governor Lewis Cass of Michigan Territory, served as commissioners at this great gathering. Clark informed the assembled Indians that their Great Father in Washington did not want the “smallest piece” of their land but was anxious to establish peace among the tribesmen by fixing definite boundaries. After much bickering a line was established which ran southwestward from the mouth of the Upper Iowa River to the junction of the East and West forks of the Des Moines River in what is now south central Humboldt County. From this point the line extended northwestward until it struck the Big Sioux River in southwestern Lyon County.<sup>24</sup>

But such a line could hardly be expected to keep deadly enemies apart. Early in 1830 a party of Sac and Fox Indians killed some Sioux near the sources of the Cedar River. The offenders escaped, so a conference was called for that summer. Learning of the approach of their enemies to this conference, some Sioux and Menominee at Prairie du Chien set out down the river to the regular camping place of the unsuspecting foe which was situated a short distance below the mouth of the Wisconsin River. It was the month of May, 1830. Concealing themselves carefully they lay in wait. At dusk eighteen Indians appeared, landed, and commenced unloading their canoes. While they were thus engaged, and unarmed, the “party in ambush bounded to their feet, with a horrible yell, and fired a murderous volley at the surprised party, by which all fell

<sup>24</sup> Schoolcraft's *Thirty Years with the Indian Tribes*, pp. 213-217; Mahan's *Old Fort Crawford and the Frontier*, Ch. VII; Mahan's *The Great Council of 1825 in The Palimpsest*, Vol. VI, pp. 305-318; Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, pp. 250-255.

except one man and the boy. The former reached a canoe, seized a loaded gun, and discharged it, mortally wounding one of the Sioux'', but was in turn quickly despatched, leaving only the boy to escape down stream. The following day the victorious party paraded the streets of Prairie du Chien, ''displaying on poles the scalps and dismembered human fragments taken from the bodies of their victims''. Later they roasted the heart of the old chief who had commanded the unfortunate party and devoured it to instill courage within them. This incident occurred under the walls of the garrison and within musket shot of the fort. After this bloody incident the Sioux left Prairie du Chien and ascended the Mississippi unmolested.<sup>25</sup>

To put an end to such incidents another treaty was held at Prairie du Chien in 1830 whereby the Neutral Ground was created. The Sioux surrendered twenty miles of land north of the Neutral Line while the Sac and Fox surrendered a like amount to the south of it. William Clark and Colonel Willoughby Morgan were the commissioners at this treaty which was signed on July 15, 1830.<sup>26</sup>

The creation of a forty mile strip and the solemn smoking of the pipe of peace apparently had little effect on the innate hatred existing between the Sioux and the allied tribes of Sacs and Foxes. Perhaps the climax of Indian relations in the Fort Crawford vicinity occurred on the night of July 31, 1831, only a year after the assembled tribes had agreed to live in peace and friendship. A band of Menominee with their women and children had encamped on an island about four hundred paces above old Fort Crawford, and about two miles distant from the new fort. A few hours before dawn a large force of Sacs and Foxes slipped quietly

<sup>25</sup> Mahan's *Old Fort Crawford and the Frontier*, pp. 151-153; *Wisconsin Historical Collections*, Vol. IX, pp. 323-326.

<sup>26</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, pp. 305-310.



across the river from the Iowa shore and crept upon the sleeping camp. Within a few minutes they had murdered twenty-five of the drunken Menominee and wounded several more. One Menominee boy shot a Fox brave through the heart and it was thought that others of the attacking party were killed by a few of the Menominee who pursued the murderers as they fled down the Mississippi. When the government demanded that the Sac and Fox should deliver up the murderers Black Hawk and Keokuk refused.<sup>27</sup>

The situation of old Fort Crawford was unfortunate, for spring floods often caused its evacuation for weeks until the water had receded. In the fall of 1827 Major General Edmund P. Gaines declared the fort so badly decayed as to be uninhabitable without extensive repairs. It remained for Brevet Major Stephen Watts Kearny to select and purchase the site for a new Fort Crawford some distance south of the old fort on an elevation of the prairie many feet above the highest rise of the Mississippi. Kearny remained in command until July, 1829, during which time preliminary work on the erection of the new post was vigorously prosecuted. To facilitate the construction of the new Fort Crawford a sawmill was erected on the Yellow River where the pine logs from Wisconsin and the oak logs from timber in the vicinity of Yellow River were sawed into lumber. Lieutenant Jefferson Davis, who had been transferred from Fort Winnebago to Fort Crawford during the summer of 1831, was engaged for a time in superintending the sawmill on Yellow River which furnished this timber. Kearny was succeeded by Colonel Zachary Taylor under whose command the second Fort Crawford was completed in the fall of 1834. The remains of the old fort may still be seen in Prairie du Chien.<sup>28</sup>

<sup>27</sup> Mahan's *Old Fort Crawford and the Frontier*, pp. 159-161.

<sup>28</sup> Mahan's *Old Fort Crawford and the Frontier*, pp. 120-139.



While the new Fort Crawford was in the process of erection the Black Hawk War broke out. Beginning on the Rock River in the vicinity of Fort Armstrong in the spring of 1832, the most dramatic episodes of the war occurred in the effigy mound region. Stillman's defeat was followed by Black Hawk's brilliant retreat up the Rock River to the fastnesses about Lake Koshkonong. From this point the Indians fled westward toward the Mississippi about Prairie du Chien, pursued by regulars and volunteers who greatly outnumbered them. On July 20th, the trail was finally picked up, strewn with hastily abandoned mats and kettles. The following day, at the battle of Wisconsin Heights, Black Hawk skilfully covered the retreat across the Wisconsin River of the main body of his men together with the women and children.

Black Hawk now dispatched a large party of old men, women, and children, down the Wisconsin on rafts and canoes secured from the Winnebago, hoping they would escape down the Mississippi unmolested. These unfortunate non-combatants were brutally fired upon by troops from Fort Crawford, near the confluence of the Wisconsin River with the Mississippi. Thirty-two women and children and four men were killed, as many more were drowned, while nearly all who escaped this fate, were massacred by a band of Menominee Indians under white officers. The scene of this tragedy can be viewed from Pike's Hill.

Meanwhile the remainder of Black Hawk's worn-out force had reached the Mississippi near the mouth of the Bad Axe River. The tired and starving Indians had only three canoes for transporting the entire band across the Mississippi. Hardly had they begun the crossing when they were halted by the appearance of the steamboat *Warrior* with a detachment of regular troops from Fort

Crawford. Black Hawk raised a white flag, calling in Winnebago that he wanted to surrender. He was invited to come aboard the steamboat but refused. After several minutes of parleying the *Warrior* opened fire with deadly results, but lack of wood caused the boat to return to Prairie du Chien before dusk.

The following day, August 2, 1832, the entire body of troops came upon the fleeing Sacs as they attempted to cross the Mississippi. The carnage was appalling. The Indians, exhausted from starvation and their long retreat, fought desperately. Many flung themselves into the river in a vain attempt to swim across and some actually reached a small willow island. At this point the steamboat *Warrior* again appeared and raked the island with canister. A bayonet charge completed the tragedy in which no respect was paid to age or sex. One hundred and fifty Indians were killed and an equal number drowned. Sharpshooters picked off many of the women and children as they endeavored to swim across the Mississippi. About three hundred reached the Iowa shore only to be set upon by a band of Sioux who massacred them indiscriminately. Out of the entire band of over a thousand who had entered Illinois that spring, only one hundred and fifty survived in August. The scene of these tragic incidents is commemorated in the town of Victory in Wisconsin, opposite the mouth of the Upper Iowa River.<sup>29</sup>

When Black Hawk, a fugitive from the field of Bad Axe, was brought before Joseph M. Street at Fort Crawford by his Winnebago captors, his head may have been bloody but it was still unbowed. Facing the noted Indian agent he declared:

My warriors fell around me. It began to look dismal. I saw my evil-day at hand. The sun rose clear on us in the morning; at

<sup>29</sup> Engle's *Futile Defiance in The Palimpsest*, Vol. XIII, pp. 55-73.



night it sunk in a dark cloud, and looked like a ball of fire. This was the last sun that shone on Black Hawk. He is now a prisoner to the white man, but he can stand the torture. He is not afraid of death. He is no coward. Black Hawk is an Indian. He has done nothing of which an Indian need be ashamed. He has fought the battles of his country against the white man, who came year after year to cheat his people and take away their lands. You know the cause of our making war. It is known to all white men. They ought to be ashamed of it. The white men despise the Indians, and drive them from their homes. But the Indians are not deceitful. Indians do not steal. Black Hawk is satisfied. He will go to the world of spirits contented. He has done his duty. His father will meet and reward him. The white men do not scalp the heads, but they do worse — they poison the heart. It is not pure with them. His countrymen will not be scalped, but they will in a few years become like the white man, so that you cannot hurt them; and there must be, as in the white settlements, as many officers as men, to take care of them and keep them in order. Farewell to my nation! Farewell to Black Hawk!<sup>30</sup>

The treaty which concluded the Black Hawk War was signed at Fort Armstrong on Rock Island on September 21, 1832. Major General Winfield Scott and Governor John Reynolds of Illinois represented the government as commissioners in these negotiations. Nine Sacs, including Keokuk and Pashepaho, and twenty-four Foxes, of whom Wapello and Poweshiek were the most prominent, signed the treaty for the Indians. Known at first as Scott's Purchase but now better known as the Black Hawk Purchase, this treaty represents the first actual cession of land to the United States in what is now Iowa, and paved the way for the influx of pioneers on June 1, 1833. In this large tract of land between the southern boundary of the Neutral Ground and the northern boundary of Missouri was the territory now included in the present counties of Dubuque, Delaware, and Jackson, most of Clayton, and a portion of the

<sup>30</sup> Fulton's *The Red Men of Iowa*, pp. 210, 211; Stevens's *The Black Hawk War*, p. 239.



counties of Allamakee and Fayette. Thus most of the northeastern Iowa mound area was included in the Black Hawk Purchase.<sup>31</sup>

Six days before the signing of the Black Hawk Treaty, General Scott had concluded a treaty with the Winnebago whereby they agreed to move across the Mississippi River into the Neutral Ground. By the terms of this treaty of September 15, 1832, the United States agreed to establish a school among the Winnebago Indians. Joseph M. Street, the Winnebago Indian agent at Prairie du Chien, selected a spot on the Yellow River about six miles upstream from the Mississippi and approximately ten miles from Fort Crawford. Street let the contract for the erection of the buildings in the spring of 1834. He had planned for stone buildings, but the Secretary of War refused to approve anything other than "plain, comfortable log structures at small expense". Street succeeded, however, in securing the main building of stone. When Street was transferred to Rock Island, the work of supervising the building operations fell to Colonel Zachary Taylor, then commandant at Fort Crawford.

The Winnebago school opened in the spring of 1835 with Reverend David Lowry, a Presbyterian minister who had been appointed by Andrew Jackson, in charge. Enrollment grew steadily, despite the opposition of Indians and white traders, and in December of 1839 seventy-nine pupils were in attendance. The following fall J. H. Lockwood and B. W. Brisbois of Prairie du Chien were amazed at the progress made by the pupils during the three years that had lapsed since their previous visit. They declared that they had never seen a more orderly and ambitious school even of white children. In 1840, when the Winnebago were finally removed from the vicinity of the whisky shops at

<sup>31</sup> Petersen's *The Terms of Peace in The Palimpsest*, Vol. XIII, pp. 74-90.

Prairie du Chien the school on Yellow River was abandoned and another was established in their new domain on the Turkey River in southwestern Winneshiek County.<sup>32</sup>

Marauding bands of Winnebago proved a constant nuisance, when they were not a positive menace, to settlers in the territories of Iowa and Wisconsin. As early as 1843, Governor John Chambers of Iowa Territory had held a council for the purpose of inducing the Winnebago to give up their home in the Neutral Ground for a new one in what is now Minnesota. His efforts were in vain and the Winnebago depredations continued. Governor Henry Dodge of Wisconsin Territory made a similar attempt in 1845 which was also unsuccessful.

The following year, however, a delegation of Winnebago went to Washington, D. C., where a treaty was signed on October 13, 1846, by which they agreed to remove to a new home in Minnesota within one year after the ratification of the treaty. The Winnebago treaty was proclaimed the law of the land on February 4, 1847, and the following summer the Indians departed under a heavy guard for Wabasha's village in Minnesota where a steamboat was engaged to carry them northward to St. Paul. A large number of the Winnebago paddled down the Turkey River and up the Mississippi to meet those trekking overland with the supplies and camp equipment.<sup>33</sup>

The removal of the Winnebago to the Neutral Ground in 1840 led to the erection of a fort on the high bluff overlooking the picturesque valley of the Turkey River in southwestern Winneshiek County. Completed in 1842, the new post was called Fort Atkinson, in honor of Brigadier Gen-

<sup>32</sup> Kappler's *Indian Affairs, Laws and Treaties*, Vol. II, pp. 345-348; Mahan's *The School on Yellow River* in *The Palimpsest*, Vol. V, pp. 446-452.

<sup>33</sup> Mahan's *Moving the Winnebago* in *The Palimpsest*, Vol. III, pp. 33-52; Petersen's *Indians and the Steamboats on the Upper Mississippi* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXX, pp. 175-178.



eral Henry Atkinson. It consisted of four long rectangular barracks, two of stone and two of hewn logs, enclosing a square parade and drill ground of more than an acre. These buildings, together with a gunhouse, powderhouse, and storehouses, were enclosed by a picket fence of squared logs twelve feet high with loop holes at intervals of four feet. Fort Atkinson and the military road leading to it from the Mississippi River cost some \$90,000.

The outbreak of the Mexican War caused the government to withdraw the dragoons from Fort Crawford and the garrison from Fort Atkinson. The territorial Governors were requested to raise volunteers to take the place of the departed troops. Governor James Clarke accordingly commissioned James M. Morgan of Burlington to enlist a company for service at Fort Atkinson. Morgan secured sixty-eight men and set out by steamboat for McGregor's landing, whence he marched over the military road to Fort Atkinson. On July 15, 1846, the company was mustered into service and succeeded in holding the lawless Winnebago in check.

At the conclusion of the Mexican War, Fort Atkinson was reoccupied by Company C of the Sixth United States Infantry, under Captain T. L. Alexander. The need of such a post having ended with the removal of the Winnebago, Fort Atkinson was abandoned on February 24, 1849. Even Fort Crawford was considered unnecessary, for the settlers poured into the region, pushing the frontier line of settlement steadily westward. In the spring of 1849 the remaining companies were assigned to Fort Snelling and Fort Leavenworth, and the last of the troops departed following the sale of the goods on May 30, 1849.<sup>34</sup>

<sup>34</sup> Mahan's *Old Fort Atkinson* in *The Palimpsest*, Vol. II, pp. 333-350; Mahan's *Old Fort Crawford and the Frontier*, Ch. XIV; Van der Zee's *The Neutral Ground* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIII, pp. 311-348.



Scores of historic spots in the northeastern Iowa mound region are easily accessible to visitors at McGregor, Dubuque, and Decorah. The very heart of the area is McGregor and Prairie du Chien. The Dubuque-Galena district, which marks the southern limits of the mound area, is interesting because of the lead mines. A third district lies to the west of McGregor and is bounded by the towns of Decorah, West Union, Oelwein, and Independence.

We have already noted most of the points about McGregor but others may be added. Few persons who have witnessed the performances of the Ringling Brothers Circus are aware that their first performance took place in McGregor. August Ringling, the father of these now famous brothers, ran a harness shop in McGregor from 1860 to 1872. In the early seventies the brothers gave a number of amateur performances in McGregor in a tent they had made themselves. Soon they were planning to operate a circus of their own. From these humble beginnings they were able to start out with their first real circus at Baraboo, Wisconsin, in the spring of 1884.<sup>35</sup>

Joseph ("Diamond Jo") Reynolds was another McGregor resident who left his mark in the hall of fame. Born in New York in 1811, Reynolds came west in the early fifties, and traveled extensively throughout Wisconsin and Minnesota buying hides and furs for a tannery he had established at Chicago.

About 1860 he disposed of his Chicago business and started in the grain-buying business with headquarters at Prairie du Chien, but with his home in McGregor. He began his career as a steamboat magnate in 1862 and for half a century the famous Diamond Jo Line Steamers plied the Upper Mississippi. Reynolds was also interested in railroads, gold mines, and other activities. At his death in

<sup>35</sup> Price's *History of Clayton County, Iowa*, pp. 233, 234.

1891, his estate was valued at several millions. The Reynolds Club at the University of Chicago is a gift of "Diamond Jo" Reynolds. The fountain and triangular park opposite the post office in McGregor, which was once his private residence, is a more humble memorial of his generosity.<sup>36</sup>

The political, economic, and social unrest which swept over Europe in the first half of the Nineteenth Century fostered many communistic experiments in the New World. Of such communities, Communia, in Clayton County, was a good illustration. This colony was founded in St. Louis in 1847 by ten men, one of whom, Joseph Venus, was elected president. The colony was organized on a communistic basis. Anyone who wished to join, after being elected, contributed all he had to the general fund. This contribution could be withdrawn upon leaving the society. The members were artisans and not farmers so the mistakes of inexperience added to the hardships of pioneer life. Industry and frugality, however, brought temporary prosperity to the colony whose original holdings consisted of but four hundred acres of land, but later the more industrious members tired of supporting the shirkers. After a long and costly legal struggle the community was finally divided but its memory is still perpetuated in the town of Communia, a short distance south of Elkader.<sup>37</sup>

Directly across the Mississippi from McGregor is Prairie du Chien which may be reached by auto or boat, or one may cross the Mississippi by train over the famous pontoon bridge which spans the river at Marquette and is said to be one of the longest in the world. The first train passed over this bridge on April 14, 1874. The settlement at Prairie du

<sup>36</sup> Merrick's *Joseph Reynolds and the Diamond Jo Line Steamers, 1862-1911*, in the *Proceedings of the Mississippi Valley Historical Association*, Vol. VIII, pp. 217-261.

<sup>37</sup> Price's *History of Clayton County, Iowa*, pp. 322, 323.



Chien may be traced back some decades prior to the American Revolution. Its importance as a fur center was recognized by both Peter Pond and Jonathan Carver. Joseph Rolette, Hercules L. Dousman, and Michel Brisbois were famous fur traders in Upper Mississippi Valley history who made their headquarters at Prairie du Chien.

Dousman was born at Mackinac in 1800 and came to Prairie du Chien in 1826. He became an agent of the American Fur Company and a partner of Joseph Rolette. When the latter died in 1844, Dousman put the final stroke to his reputation as a shrewd business man by marrying his partner's young widow. Villa Louis, the palatial residence of Dousman, contains scores of objects which attract hundreds of visitors every year. Steamboats puffed up to the wharf at Dousman's home, discharging cargoes of goods and luxuries for Wisconsin's wealthiest citizen before the Civil War. Dousman was the outstanding representative of the American Fur Company on the Upper Mississippi. Just north of his home is the site of old Fort Shelby. A little farther north is the "Old French Cemetery" and the Dousman Cemetery.<sup>38</sup>

But the Dousman house is not the only point of interest in Prairie du Chien. Above the ferry landing is the old Diamond Jo Warehouse which is now used by the Chicago, Milwaukee, & Saint Paul Railroad. To the left, on the other side of the track, is the Dousman House, the now empty hotel which still bears in its stately lines the vestiges of days in the sixties when noted guests were entertained lavishly. The Brisbois house and the old trading post which in 1808 housed the office of the Northwest Fur Company attracts attention as the tourist walks north. This trading post later became a part of John Jacob Astor's American

<sup>38</sup> Petersen's *Steamboating in the Upper Mississippi Fur Trade in Minnesota History*, Vol. XIII, pp. 221-243.



Fur Company and for many years before the Civil War served as a post office. On the southern extremity of Prairie du Chien one may still see the ruins of old Fort Crawford. Directly south of the mouth of the Wisconsin River is the Nelson Dewey State Park. To the southeast is little Belmont, the first capital of the Territory of Wisconsin, a district embracing present-day Wisconsin, Iowa, and Minnesota, as well as that part of the Dakotas east of the Missouri River.<sup>39</sup>

The Galena-Dubuque district also contains a number of interesting points. The city of Dubuque is picturesquely situated among the hills on the western bank of the Mississippi River. Settled by Julien Dubuque and ten white companions in 1788, Dubuque traces its history back to the year Washington was elected President. For a score of years after Dubuque's death in 1810, the lead mines were worked by the Fox Indians whose tattered village on Catfish Creek stood below and south of Dubuque's grave. The Indians jealously guarded the mines and would not permit white men to work them. The Black Hawk Purchase was the signal for a heavy influx of miners and settlers into the region which soon became one of the most populous areas in the State. Today Dubuque has a population of nearly 42,000. A monument overlooking the Mississippi River at the mouth of Catfish Creek, two miles below Dubuque, marks the grave of the first permanent white settler in Iowa.

Reminiscent of the days when lead formed an important cargo from the Dubuque mines is the old shot tower, which stands almost on the bank of the Mississippi at the foot of Fourth Street Extension where the Illinois-Iowa high bridge joins East Dubuque with Dubuque. Only two such towers existed in the Upper Mississippi above Hercula-

<sup>39</sup> See the various issues of "*McGregor, Iowa, On The Mississippi*".

neum, Missouri, the other being located at Helena on the Wisconsin River.

A quarter of a mile south of the shot tower is the Dubuque harbor which has witnessed a century of commerce. Today the fleet of the Federal Barge Line may be seen in the harbor. The new terminal of the Inland Waterways Corporation stands just to the south. The Dubuque Boat & Boiler Works on the north side of the harbor has contributed many of the craft which today ply the Mississippi between New Orleans and Saint Paul. Here, too, was built the old torpedo boat *Ericsson* which had such a remarkable career during and after the Spanish-American War.

Noted as an industrial center, particularly for its great wood mills which sprang from the countless rafts of lumber floated to its mills from the forests of Wisconsin and Minnesota, Dubuque has not neglected education. Four institutions of higher learning — Columbia College, Clarke College, Wartburg Seminary, and the University of Dubuque — trace their history back many years. Two city parks of rare natural beauty add much to Dubuque's historic charm.<sup>40</sup>

About fifteen miles southwest of Dubuque just off Highway 161 is the Trappist Abbey of New Melleray which had its inception in 1849 when Bishop Loras invited the Cistercian monks at Mount Melleray in Ireland to establish an abbey in Dubuque County. Only four such monasteries exist in the United States and the Trappist Abbey is visited by thousands yearly. Although their ranks have thinned, the monks still work three thousand acres of the choicest land in Dubuque County.<sup>41</sup>

<sup>40</sup> Petersen's *Julien Dubuque* in *The Palimpsest*, Vol. XII, pp. 421-433; Blair's *A Raft Pilot's Log*; Aurner's *Many Foundations* in *The Palimpsest*, Vol. XI, pp. 417-431; Blanchard's *The Torpedo-Boat*, "Ericsson", in *The Midland Monthly*, Vol. II, pp. 85-88.

<sup>41</sup> Mahan's *New Melleray* in *The Palimpsest*, Vol. III, pp. 265-309.



Eastward across the Mississippi River is Galena, Illinois, nestled in the valley of the Fever or Galena River. The movement to the lead district about Galena had begun as early as 1819, and the first lease was granted on January 4, 1822. There were one hundred miners at these mines on July 1, 1825, and almost five hundred in the fall of the following year. Three newspapers had been started in Galena before Chicago was able to boast its first paper. The steady stream of lead that was shipped southward by steamboat to St. Louis and New Orleans made Galena the metropolis of the northwest prior to 1850. Passing over the shallow Fever River today, one wonders how such an immense commerce was carried on it. Before the Civil War, however, Galena was a town of no small consequence and today takes pride in the home she presented to her townsman, General U. S. Grant. The house is kept as Grant left it and attracts hundreds of tourists yearly.<sup>42</sup>

A drive westward into the interior of Iowa reveals some unique historical spots with Decorah and Winneshiek County offering perhaps the most unusual points of interest. One may take Highways 55 and 18 through Postville and Calmar or Highway 13 along the Yellow River to Waukon from which No. 9 leads into Decorah. At Decorah a visit to Luther College, the city park, Dunning's spring, and the ice cave will prove interesting.

Little Spillville has two objects of interest: the Dvorak monument and the home of the Biley brothers. Early in June, 1893, Anton Dvorak came to Spillville to rest. The idyllic conditions offered by the Turkey River seemed to furnish the proper incentive, for on June 12th Dvorak began the score of "String Quartette in F Major", Opus 96, and finished it on June 23, 1893. He composed or com-

<sup>42</sup> Petersen's *The Lead Traffic on the Upper Mississippi, 1823-1848*, in *The Mississippi Valley Historical Review*, Vol. XVII, pp.72-97.



pleted several other works including the New World Symphony. A bronze tablet commemorating his visit was dedicated on September 28, 1925. On each face of this monument is inscribed the name of a Dvorak masterpiece, and around the bottom is a list of the compositions upon which he worked while in Iowa. The Biley brothers have an array of hand-carved clocks which are the object of regard for countless visitors.

St. Andrew's Chapel near Festina is another spot which attracts many visitors yearly. Built originally to minister to the needs of two families, it is the smallest church in Iowa and is said to be the smallest in the world, seating only eight people.<sup>43</sup>

Fayette County adjoins Winneshiek County on the south. The courthouse at West Union has been retained after years of bitter rivalry with Oelwein. Upper Iowa University is located at Fayette. An hour's ride by auto to the west will bring the seeker after the unusual to an historic edifice which enjoys a national reputation. Located at Nashua in Chickasaw County, the Little Brown Church in the Vale is visited by people from all over the United States and hundreds of marriages are performed there each year.<sup>44</sup>

West of the pretty town of Independence stand a few dilapidated buildings reminiscent of a day when Independence was the Lexington of the North and Rush Park had the fastest track on earth. Three State parks lie east of Independence, Silver Lake Park at Delhi, Backbone Park near Lamont, and Bixby Park near Edgewood. With such

<sup>43</sup> Evans's *Dvorak at Spillville* in *The Palimpsest*, Vol. XI, pp. 113-118; McGregor, *Iowa, On the Mississippi*; Swisher's *Iowa State Parks* in *The Palimpsest*, Vol. XII, pp. 201-253; Christensen's *The State Parks of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVI, pp. 331-414.

<sup>44</sup> Brown's *Bradford — A Prairie Village* in *The Palimpsest*, Vol. II, pp. 65-71; Laird's *The Little Brown Church in the Vale* in *The Palimpsest*, Vol. II, pp. 72-79.

beauty spots and historic shrines the northeastern Iowa mound region offers much that is entertaining and educational to the summer vacationist or the week-end visitor.<sup>45</sup>

WILLIAM J. PETERSEN

STATE HISTORICAL SOCIETY  
IOWA CITY IOWA

<sup>45</sup> Petersen's *Lexington of the North* in *The Palimpsest*, Vol. XIII, pp. 333-394; Swisher's *Iowa State Parks* in *The Palimpsest*, Vol. XII, pp. 201-253; Christensen's *The State Parks of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVI, pp. 331-414.

## LETTERS OF J. W. DENISON

The letters<sup>1</sup> printed in this number of *THE IOWA JOURNAL OF HISTORY AND POLITICS* and those to be printed in the April issue are part of a large collection on file in the courthouse at Denison. They were written by Jesse W. Denison to the trustees of the Providence Western Land Company for whom he was acting as adviser and field representative in the purchase of Iowa lands. The part of this correspondence selected for publication includes the letters dealing with the purchase of public land in Crawford County and the choice of Denison as the county seat.

Jesse W. Denison<sup>2</sup> was born in Albany County, New York, on April 9, 1818, and as a boy had been apprenticed to a shoemaker. Having made up his mind that he wished to preach, he left his shoemaker's bench and entered Union College at Schenectady, New York, graduating in 1844. He also attended the Union Theological Seminary at Schenectady and the Baptist Theological Seminary at Covington, Kentucky.

In 1846 he married Mary Winsor Briggs, whose father was the Reverend Avery Briggs, and the young couple went to Upper Alton, Illinois, where Denison was pastor of the Baptist Church. Mrs. Denison, however, seems never to have been in good health and the young preacher soon resigned in order to try some other climate. In 1849 he

<sup>1</sup> These letters were made available to the State Historical Society of Iowa for copying and publication by Mr. Charles K. Meyers of Denison, Iowa. They were all addressed to Jas. S. Phetteplace, Trustee, or Messrs. Jas. S. Phetteplace and Francis E. Hoppin, Trustees, Providence Western Land Company, Providence, Rhode Island.

<sup>2</sup> This biographical sketch of Jesse W. Denison was taken from a sketch in F. W. Meyers's *History of Crawford County Iowa*, Vol. I, pp. 135-139, written by A. M. Duboc, a son-in-law of Mr. Denison.



again took up pastoral work, this time at Rock Island, Illinois, where he built the first Baptist meeting house. In 1852 the Denisons moved to Brimfield, Illinois, but after a year Reverend Denison was compelled to resign because of his own ill-health.

Looking about for work which would permit a more outdoor life, Mr. Denison became connected with the Providence Western Land Company, a group of eastern men who wished to invest money in Iowa lands. The letters printed below are part of the correspondence of Denison with the trustees of this company and cover the period from September 27, 1855, to May 28, 1856. The Denison letters, it appears, were deposited in the courthouse at Denison as part of the evidence in a suit which grew out of some of the transactions of the company or its agents.

Mr. Denison made his home in the town named for him until his death on October 2, 1881. In 1857 he organized the Baptist Church there and acted as its pastor for seven years. He was elected to the legislature in 1859.

His first wife died in 1855 while he was in Iowa selecting lands for the eastern firm, and on August 3, 1859, he married Eliza B. Lewis of Providence, Rhode Island. By his first wife, Mr. Denison had two daughters, Mary Louisa, who later married Thomas Hooker, manager of the *Spokane Daily Chronicle*, and Julia P., who married Rev. A. M. Duboc. These are the children mentioned in the letters. The four children of the second marriage were William S., Maria Louisa, Jesse W., and Percy N.

Although the land company which Denison represented did a large business in Iowa, it appears that it was not legally incorporated until 1862, for on February 14th of that year the Rhode Island legislature passed a law incorporating "The Providence Western Land Company", naming Asa Pierce, James S. Phetteplace, Christopher T.

Keith, Francis E. Hoppin, and thirty others as incorporators. The business specified was "the purpose of acquiring, holding, improving and developing, selling and conveying lands in the State of Iowa and elsewhere". The capital stock was not to exceed \$200,000.<sup>3</sup>

The business of the Providence Western Land Company was based largely on the purchase of land warrants in the East and the use of these warrants for taking up land in Iowa, particularly in Crawford and Harrison counties. Land warrants had been issued in large numbers as bounties for enlistments during the War of 1812 and the Mexican War. According to the act of February 11, 1847,<sup>4</sup> a non-commissioned officer, private, or musician in the volunteer army, who served for twelve months or was discharged for wounds or sickness prior to the end of this period, was entitled to a certificate or warrant entitling him to 160 acres of land to be entered at any district land office on lands open to private entry. In case of the death of the soldier, his heirs were to receive a similar warrant. The person to whom the warrant was due might, however, at his option, take Treasury scrip for one hundred dollars, bearing six per cent interest. Provision was made that those who served less than twelve months should receive a warrant for forty acres of land or scrip for twenty-five dollars.

By an act adopted on September 28, 1850,<sup>5</sup> Congress authorized the granting of eighty-acre warrants for services in Indian wars since 1790 and in the War of 1812 and to commissioned officers in the Mexican War. All these warrants were made assignable by an act adopted on

<sup>3</sup> *Acts and Resolves of the General Assembly of the State of Rhode Island and Providence Plantations*, January, 1862, pp. 219, 220; *Miscellaneous Record Book of Crawford County*, p. 335.

<sup>4</sup> *United States Statutes at Large*, Vol. IX, pp. 123-126.

<sup>5</sup> *United States Statutes at Large*, Vol. IX, pp. 520, 521.



March 22, 1852.<sup>6</sup> On March 3, 1855,<sup>7</sup> a more comprehensive act was adopted by Congress, offering 120-acre, 100-acre, 60-acre, and 10-acre warrants for various kinds and periods of military service. Under this act any person who had served for at least fourteen days or in a single battle in almost any war in which the United States had been engaged, including Indian wars, was entitled to a warrant for one hundred and sixty acres of public land or sufficient to make up that amount, if warrants for smaller amounts had been received earlier.

It was these warrants in which the Providence Western Land Company was dealing. Being assignable, the warrants were sold on the markets in the East and were often bought up by bankers and speculators. It was Denison's idea that the company should buy these warrants and apply them on the purchase of public lands for sale in Iowa and also that other lands should be purchased with currency, since it appears that land warrants could not be used for lands which were put up at a public sale<sup>8</sup> where there was competitive bidding. The letters tell the story of Denison's service in the purchase of the Iowa lands.

THE EDITOR

New York  
Sept. 27th, 1855

Messrs. Phetteplace & Hoppin,  
Trustees of Prov. Western Land Co,  
Providence, R. I.

Gentlemen,—

This morning I requested you by Telegraph, to “send the Draft instead of Bills: Explanation by Letter.”

<sup>6</sup> *United States Statutes at Large*, Vol. X, pp. 3, 4.

<sup>7</sup> *United States Statutes at Large*, Vol. X, pp. 701, 702.

<sup>8</sup> For an account of land sales by the United States, see Donaldson's *The Public Domain*, pp. 205–208, 234.



It soon occurred to me after leaving last evening, that it would be better for me to take the Draft for two reasons.—The one, that it would be attended with no risk as it could be of service to no one but myself. The other, that in addition to its safety, it would or could be my good fortune to save a premium of no small amount. By being here in the market, I could invest the amount of Draft in Land Warrants that would sell the day I arrived in Rock Island, at premium of from 8 to 10 per cent above cost, which would be the somewhat acceptable amount of between two and \$300. Hence the message was sent, as I judged almost any one would have done in my place.

Now, Gentlemen, I can do you a still greater favor than to have received the Bills,<sup>9</sup> and which I would be most cheerful in doing, as you may please. I could very readily give circulation to 5 or \$10,000 of your Bills among the laboring classes of Rock Island and Davenport by exchanging with the leading mechanics and other business men, so that your money would be in circulation in the most certain way to secure it the longest while from your counter. Immediately upon the exchange, I could buy a Draft on New York for 11½ per cent, so that within about two or three weeks from the time of sending your Paper, you could have the gold in New York for your use and at

<sup>9</sup> This proposal seems to have been something on the side and the plan is not clear. Apparently the Providence Western Land Company, although unincorporated at the date of the letter, was made up of men associated with banks which had notes or bills of exchange which circulated as money. Denison's idea seems to have been to get these bills in circulation in the West so that they would not be presented for redemption for a considerable time. Depreciation due to inaccessibility of the issuing party was frequently a source of profit to banks and others with bills outstanding since they could often redeem their notes at less than par.—*The Bankers' Magazine*, Vol. VI (New Series), p. 332. Why the mechanics and business men of Rock Island should be willing to make such an exchange does not seem clear unless the notes for which they were exchanged were from points equally distant and no more reliable.

no other expense than the  $1\frac{1}{2}$  per cent, and expense of transmission by Express. Or should you prefer trusting it to my care, the expense of transmission would be nothing. I shall probably not leave Albany till Tuesday next, when I hope to procede hastily to the field of promise.

I have seen Mr. Thompson<sup>10</sup> the Banker, & Land Dealer, and inclose herewith the first page of his "Reporter," published weekly, giving the price current of Land Warrants. They are now selling as you perceive at \$1.08 for 120 s. and \$1.11 for 160 s.

Mr. Thompson says that he could not say *to day* what he would or could sell for the *next week*, unless he asked a price that would be certain to save him. He would agree, he said, to furnish the amount desired, for \$1.10 per acre, reserving to himself the privilege of furnishing any sized Warrants he pleased. But, that he would not advise you to agree to pay it, for the reason that in all probability you could procure them for about \$1.08 per acre.

Another House in Wall Street, say that they sold yesterday 120 s. for \$1.08 $\frac{1}{2}$  per acre, and 160 s. for \$1.11 $\frac{1}{2}$  per acre, and that to day they would not sell for less than \$1.12. My opinion is, that for the month to come, the price will be no lower, and that you can do better with Horatio Woodman of Boston, than you can in New York, and that it might be well to accept his proposition for all that you

<sup>10</sup> This was John Thompson, editor of *Thompson's Bank-Note Reporter*, a financial weekly, now published by the Steurer Publishing Company under the title, *American Bank Reporter*. Thompson was born in Massachusetts in 1803, the son of a farmer. After teaching for a few years, he became agent for a lottery authorized for the benefit of Union College. With one thousand dollars in savings, Thompson went to New York where in 1836 he established his *Bank-Note Reporter*. Its circulation at one time exceeded 100,000 copies per week. Having been influential in securing a national banking act, Mr. Thompson in 1863 established the First National Bank in New York and later organized the Chase National Bank of which he was vice president at the time of his death on April 19, 1891.—Information furnished by the Superintendent of the Reading Room, Library of Congress, November 25, 1932.



may want at the  $\frac{1}{2}$  cent per acre less, as he proposes, than they are selling in New York. Sylvanus Lewis comes to New York every week as perhaps also some of the rest of your number may, so that you could readily learn, by enquiring at Thompson's, what were or had been the real selling prices for the past week or any past week.

Very Respectfully

J. W. Denison

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Rock Island Ill.

Oct. 10th, 1855.

Respected Sirs,—

Yours of 4th inst. was duly received this evening. Inclosed please find a receipt of \$3,100, received in Albany N. Y. the 29th ult. and acknowledged THE SAME DAY.

It is very strange that you have not received my letter of the 29th ult. inclosing said receipts, and I feel half mortified at its failure, as I do not think a man fit to do business who is not *prompt* in replying to business letters and especially when money is received. You may always count with certainty upon an *immediate* reply to letters of money or business, and if you do not receive it, you may rely upon some of "Uncle Sam's" delays, or upon some delay growing out of the ADDRESS, the latter of which is, I presume the trouble in this case. I addressed the letter to "Messrs Phetteplace & Hoppin, Trustees of Prov. Western Land Co. Providence, R. I." Now the probability is, that the Post Master, not knowing of such a Company, did not know for whom it was designed. I can but believe that you will still find such a letter at the Post Office, if you had not already.

The \$2,000, in currency, *will be faithfully* circulated according to promise.<sup>11</sup> You can rely upon that. The re-

<sup>11</sup> This was evidently part of the plan discussed in note 9 above.



ceipt of money is dated at *Rock Island* for the reason simply that that is my residence as given in the contract. It is dated Oct. 1st instead of Sept. 29th, so as to allow time for me to be in Rock Island, had I gone directly there by the Lightning trains without losing my connections.

I have just arrived this evening at Rock Island, having journeyed as fast as the health of my wife would admit. I left Albany on Tuesday the 2nd inst. but was till Friday evening reaching Detroit where again I was obliged to remain till Monday following as my Wife was not able to leave her room the greater part of Saturday. I hope to have made my arrangements here so as to leave the first of next week upon my Prairie Mission. The more I learn of Iowa and its inviting openings, the more sanguine I am of making a handsome thing for the Company as well as for myself.

Land Warrants have risen I perceive about two cents an acre. They are selling in Iowa for \$1.14 to \$1.20. I perceive in "Thompson's Reporter" that they are selling in New York for \$1.10 and \$1.12. If you cannot procure enough of 120 s. at Boston, it might be well to secure some at New York.

I attended to the matter of Insurance as suggested by Judge Hoppin. Wm. Lacy of Albany is the agent for the Company he suggested. I filled out the Proposal, was examined by their Physician etc, and left the farther business with said Lacy.

Very Respectfully,

J. W. Denison.

P. S. Thursday the 11th. Learning that I was too late for the morning mail, I did not take it to the Office till to day, and it will not leave till to morrow morning.

The weather is very fine and promising. Hope to hear from you often and pleasantly.

The \$3,100, was some more than the strict construction of the Contract might have called for. And the \$31,000, on the contrary was also less by \$680, provided it could be raised. I am satisfied however as it is, which is also the general understanding among the Company,—that the ten per cent of the amt. contributed be regarded as mine, and the remaining 90 per cent, the amt. to be invested.<sup>12</sup> The result also is about the same in the end, as whatever is paid out will be first returned before a division be made.

J. W. D.

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Rock Island Ill.

Oct. 15th 1855.

Respected Sirs

I have just received a reply from the Commissioner at Washington D. C. in relation to Land Warrants applying in payment for land purchased at a *public sale*.<sup>13</sup> He says they will not. I was apprehensive of this and therefore wrote him. While in New York & at Thompson's, I was looking over the "Circular to Registers and Receivers of the United States Land Office, in relation to Military Land Warrants under act of 1855," and I perceive from the wording of the fourth paragraph upon the first page thereof, that there was a question upon that point. I accordingly wrote for information, and also for one of said "Circulars" to be sent to yourselves.

Now then should it so happen, that I should select such lands, then of course I should have to *sell* the Warrants

<sup>12</sup> See the letter of December 4, 1855, for another reference to the contract as to the share of Mr. Denison in the profits. The terms of the contract are not given in the letters, except incidentally.

<sup>13</sup> This was a sale at which there was, in theory at least, competitive bidding on lands offered for sale. Claim associations often prohibited bidding against the man who lived on the land. Usually lands were offered for public sale for two or three weeks and the remaining lands were sold piecemeal at a minimum price per acre.—Donaldson's *The Public Domain*, pp. 206, 207, 234.



you send me; and as they are worth from 5 to 8 cents an acre more here, than they are in Boston or New York, and are a ready cash article, we should still make a handsome saving.

In such a case however, it would be better that you *leave blank* the place on the back of the Warrants, for the *name* to whom it has been or may be assigned, as otherwise it would be necessary to record a new transfer upon the *back* of *each* Warrant. You could send me the *general* Power of Att. the same as though they were to be entered in your name, leaving it with me to fill in your name in case I do not have to sell them.

I may suit myself in land already in market, and which I would like much better, as I would not then be under the contingency of paying more for the land in consequence of others competing for the whole or part of the same.

I hope to leave to morrow or next day for my surveying excursion, when I hope to find the "*lucky spot.*" The rush into Iowa is very great, and yet there is room.

Have you yet heard anything from Wm. Lacy Esq. of Albany, in relation to my Life Insurance? I learned that he finds it difficult to effect an insurance, and for the reason I presume that I was simply and literally too honest. But then I conclude that in small things as well as large, "*honesty is the best policy,*" for the reason, if for nothing else, that it makes a man *feel better*.

Among the questions put to me in my examination at Albany was, whether I had had spitting of blood since childhood? I could but say, "Yes," for in the year 40, or 15 years ago, while at school, I did spit a very little blood one evening, owing as was supposed to a too close application application [sic] to study with a want of sufficient open exercise. But at no time before or since that evening have I had the slightest symptom of the kind.



At that time I changed my course, studied less and labored more. Nor was I then so as to give up my regular routine of business, nor have I been for the last twenty years so ill as to give up a single day from any business I have had on hand.

I learned through my Brother at Albany, to whom Mr. Lacy has mentioned the circumstance, that the agency in New York are hesitating without farther explanation. They wish to hear from the Physician who attended me, but whose name I have forgotten and who I believe is dead. They also wish to hear from our present family Physician, when the truth is we have had none excepting perhaps for the few past months. Still I am somewhat known here by Physicians who have been in our society though not employ regularly, the last six or eight years. I may perhaps be able to satisfy them "after a while." Keep courage "till the wheel rolls round". Am glad to see them be cautious. Have more confidence in their efficiency.

Very Respectfully

Your Obt. Servt.

J. W. Denison

P. S. Send the Warrants to me at Rock Island, and drop me a line at the same time to Ft. Dodge, Iowa, also at Ft. Des Moines and Dubuque, Iowa, stating that you have sent them.

J. W. D.

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Rock Island Ill.

Oct. 23d 1855.

Yours of the 27th ult inclosing \$3,100. in Check, Draft & Currency was duly received at Albany N. Y. as per receipt in due form of the 29th ult. and of the 12th inst.

Very Respectfully

Your Most Obt. Servt.

J. W. Denison

(Five copies of this letter were sent.)

Rock Island Ill.

Oct. 23d 1855.

My dear Sir

Yours of the 17th inst. is before me, and mine of the 29th ult. and of the 12th inst. I trust are before you. Yours of the 27th ult. inclosing \$3,100. in Checks, Draft & Currency, was received at Albany the 29th ult. and answered the *same* day, inclosing a receipt dated Oct. 1st 1855. In that letter I stated that the currency *would be faithfully* circulated. Your request of the 4th inst. was received the 10th and answered the 12th, inclosing another another [sic] receipt and explaining the probable reason for your not receiving the one of 29th ult — that it was addressed to “Messrs Phetteplace & Hoppin, Trustees” etc. And as the Post Master might not know of any such Company, he did not know in whose box to place it; and that you would probably still find it by inquiring for such a letter.

I can give no assignable cause for your not receiving the second — that of the 12th inst. as also I presume you have received it ere this. When I first read yours of the 17th inst. I was exceedingly mortified, not to say, most deeply provoked, as I could never regard a man fit to do business who cannot and does not *promptly* reply to business letters. A moments reflection however enabled me to see that only five days had elapsed between mine of the 12th and yours of the 17th so that the probability was that you had received it before this.

In order however that there may [be] a *degree* of certainty against “Uncle Sam’s” contingencies, I have concluded to leave five letters besides this acknowledging the receipt of said money, to be mailed separately one each day, and see if it be possible for at least *one* of them to reach you! And when you do receive it, I hope you will in return acknowledge its receipt.



My trunk is packed, and my buggy ready and my man on hand ready for my mission this morning for my *exploration*. I have been detained some longer than I had hoped, in providing winter quarters for my Family, and in procuring a suitable team. I have purchased a span of horses for \$350, that will probably take us over the Prairies in "quick time."

The more I think of it, the more I am satisfied that I could not do justice to the Company or to myself, to give but three or four weeks in selecting the point for putting down our stakes. There is land enough for the present & will be till at least a few weeks longer. I am going to examine five or six different points before I determine upon my location. Meantime it might not be amiss to have a small interest at different points. It might be to our mutual interest to secure one or two desirable points that I may find in passing over the state at different points. Would it not be well therefore to send me the Warrants you have on hand — some 4,500 acres as you say, and have me dispose of them to the best advantage I may judge best.— Either reserve them all for one compact body, or enter a part of them at different points. And the balance of the money you can keep till I write you again. The Warrants you can direct, in a large envelope, to Ft. Dodge, Iowa. Yours Very Respectfully and in haste.

J. W. Denison

P. S. If the receipts heretofore sent are not received I will send another in due form.

J. W. D.

Please allow for errors and scribbling, for I [have] written in great haste and have no time for reviewing.

J. W. D.

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Ft. Des Moines, Iowa

Oct. 30th 1855.

Dear Sir,—

Trust you have received, ere this, some one of the re-



ceipts for the \$3100, duly received by me at Albany N. Y. the 29th ult. The 23d inst. I wrote you from Rock Island Ill. sending receipts, and suggesting that you forward me the 4 or 5,000 acres in Land Warrants, directing them to Ft. Dodge, and to wait till you might hear from me again, before sending a draft for the balance.

I now regret exceedingly that I could not have the money or the Warrants with me, so as to *secure* what I may find, *when* I have made my selection. You can have no conception of the amount of lands that have been entered in this state during the last 6 months and that are now continually being entered. I had no idea of it myself, though I knew that there was a *great rush*, into this state; but the extent of it, is almost incredible.

The lands on the line of the Rail Road from Rock Island to Council Bluffs<sup>14</sup> had been mostly and almost wholly taken up during the last 12 months; and now you can scarcely buy an acre of it for less than \$10; and where a very little improvement is put upon it, \$15. is the lowest price, extraordinary cases excepted.

I spent Sunday at *Grinnell*, in Powshiek Co. 55 miles from Ft. Des Moines. One year ago there was not a house there. It was entered by a Mr. Grinnell,<sup>15</sup> for a Colony. Now there are 60 houses and "still they come". He entered 1000 acres and it is now worth \$10 an acre, the whole of it. He purchased wood land, second hand, for \$10. an acre. We may have to do same for what timber we need, as all the timber land far & near is secured. Swarms of land agents and farmers search for that and nothing else.

There is nothing in Ft. Des Moines District excepting a few quarter sections, scattered around in different places.

<sup>14</sup> This was the Mississippi and Missouri Railroad, now part of the Rock Island system.

<sup>15</sup> Josiah B. Grinnell, founder of Grinnell, and prominent in many activities.

There is a prospect however that I may be able to find something that will suit me nearer in Council Bluffs, in the Council Bluffs District, or in the Chariton District on the line of the Burlington Rail Road to the mouth of the Platt River, on the Missouri River. But if so, it will be of the utmost importance that I *secure it*. This I cannot do without the money or the Warrants. Please therefore purchase all the Warrants you can find *immediately*, no matter what they cost, and send them to me & the balance in a Draft on New York, at Ft. DES MOINES, IOWA, to the care of Messrs. Cook, Sargent & Cook, and very much oblige

Your humble Servt.

J. W. Denison

P. S. Fill in your own names in the Warrants, and it is not necessary to give your agent the Power of Attorney to locate. It is no longer required.

J. W. D.

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Chariton, Lucas Co. Iowa

Nov. 3d 1855.

Dear Sir —

Trust you have received *some* of my letters to you. Wrote you from Fort Des Moines, the 30th ult. requesting you to purchase immediately all the Warrants you could no matter *what* they might cost, and send the balance per Draft on New York, to me at Fort Des Moines Iowa, care of Messrs. Cook, Sargent & Cook,<sup>16</sup> and that I was then about leaving for the Chariton District.

I arrived here in Chariton last evening, but find nothing that will suit our purpose, but from what I can learn, I am strongly in hopes of finding something that will suit us in the Council Bluffs District. If so, it will be of very great

<sup>16</sup> Cook, Sargeant, and Cook were a firm with headquarters at Des Moines doing a banking and real estate business.

importance that I have the Warrants or the Draft to secure the selection *immediately*.

You can hardly imagine how anxious I am to receive the Warrants or the Draft at the very earliest possible date. My hopes of making a "handsome thing" for you grow more sanguine as I ride over these Prairies.

Respectfully yours in *very great haste*,

J. W. Denison

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Council Bluffs, Iowa.

Nov. 8th 1855.

Gentlemen

My last was mailed at Chariton and which you have doubtless received, though I learned that letters are very slow in their passage to and from these parts.

Trust you have received the one mailed at Fort Des Moines, and requesting the Warrants or Draft, one or both, to be sent to me at Fort Des Moines, care of Messrs. Cook, Sargent & Cook. I am still *very* anxious to receive it, as there are *now* openings, between Ft. Des Moines and Council Bluffs, that might be secured. They *may* be open next week or the week after, but it is very uncertain. It is truly astonishing to see how rapidly the land is being taken up. I waited at the Land Office all this forenoon for an opportunity to even examine the Plats of Townships to see what was still vacant, and was then told that there would probably not be any time even in the afternoon, because of the crowd waiting to make entries. At noon however, I managed to make the acquaintance of the Register, and he very kindly gave me the first hearing this afternoon. And again this evening after tea and after dark, went to the Office with me and gave me all the information I desired.

As the "means" will probably not reach me before the middle or last of next week, I shall have time to visit the



Sioux City District, and have therefore concluded to do so immediately. To morrow I shall leave for that place,—thence to Fort Dodge, and thence to Ft. Des Moines for the *means*, and thence through to Council Bluffs on the line of the proposed Rail Road;<sup>17</sup> by which time I hope to have decided upon some point and I trust upon *the* point, for our location.

There would be no hope of making a selection on the line of the Rail Road from Ft. Des Moines to Council Bluffs, were it not that a new survey and it is thought a much better one has been made some twelve miles north of the present public road for wagons and where it was supposed the Rail Road would run.

I visited Omaha City, to day, the Capital of Nebraska.<sup>18</sup> It is immediately opposite Council Bluffs, and is decidedly most beautiful. I have seldom seen a place where Nature has done more for its appearance. A land Company made a claim to the land in that vicinity, and are now making a fortune.

Have courage yet, for I still believe that we can make your money “*pay.*”

Very Respectfully Yours

J. W. Denison

P. S. Council Bluffs numbers about 1500 inhabitants, has rather an ordinary situation for appearance, but its *position* is such as to secure it great prominence in the future.

Omaha City numbers about 300 inhabitants and is rapidly increasing. In Fort Des Moines there are about 2000 inhabitants. I was very much disappointed in the location of Ft. Des Moines as a city. My impression had been that

<sup>17</sup> This was the continuation of the Mississippi and Missouri Railroad, which reached Iowa City on January 1, 1856.

<sup>18</sup> Omaha was the capital of Nebraska during the Territorial period. Lincoln was selected as the capital city in 1867.

it was low and unhealthy. On the contrary, I find it most grand and commanding beyond description. The surrounding bluffs are at a suitable distance and encircle the business part of the city, on three sides, and afford a most magnificent opening for one of the largest class of cities such as Fort Des Moines is most certainly destined to become.

Have you seen "Iowa as it is"?<sup>19</sup> You will find this work, I should presume, at the principal Book Stores. Some of them have a "Sectional Map" accompanying them, the same as I have to exhibit. The Book in Rock Island costs \$1, without the map, and \$1.50 with the map. I would like to have you procure one and *read* it. It is a fine thing, and reliable. If there are none in Providence I will send you one by mail. Be sure and procure one.

J. W. D.

Ft. Des Moines Ia.

Nov. 21st 1855.

Gentlemen.

Yours of the 10th or 12th inst. accompanying 47 Warrants of 120 acres each, and 2 Warrants of 160 acres each has been received this evening. I have just arrived at this point from a survey in Crawford County. I wrote you from Council Bluffs, that I was going to Sioux City,—thence to Ft. Dodge etc. Learning however that there was a favorable opening in Crawford County, where they were about locating the County Seat and where it might be possible for me to secure it, I concluded to go there first and examine the country and its prospects. I did so. And I *believe* that I have found an opening there that will be, *if secured*, just as good as any of the Company could desire.

Within 2½ miles of the *geographical center* of the County is one of the best mill seats on the Boyer River

<sup>19</sup> *Iowa as It Is in 1855; A Gazetteer for Citizens, and a Hand-book for Immigrants* was prepared by N. Howe Parker.



which runs diagonally across the state from the N. E. to the S. W. corner, thereof. There are also several other streams making into the Boyer near this point, and upon these also near this point are mill seats. Upon the Boyer River or along its banks there is more or less timber, as there is also upon some of its tributaries, though as a County, like many other Counties, it is *not well* timbered. Still there is timber enough for all practical purposes, as in my judgment, far less timber is needed than is generally supposed, since the Osage Orange or Hedge fence is rapidly taking the place of lumber fences. Besides that, a very great portion of the rolling Prairies are covered with a young growth of timber, and [if] it can be secured from the Prairie fires for a few years it soon becomes *timber* land, so that in five or six years time it will meet all farming purposes excepting lumber for building. There is more of that young timber in this County than I had seen in any other. In the vicinity of this place, first mentioned, there is as fine an agricultural district, as need be desired. It is neither too rough nor too level,—is *well watered* with pure living springs with no marshes at all that I have seen or heard of. And I have spent the whole of this last week from early morn till late at night in surveying closely all its parts.

The position of this central point, is you will see by turning your eyes to the map a favorable one, and can be made, in time I have no doubt, the crossing point of at least three rail roads,—one running East and West, as you will see indicated upon the “Sectional Map of Iowa”, which we had for examination while I was with you. Another will run from Ft. Dodge to Council Bluffs, and the other from Ft. Des Moines to Sioux City.<sup>20</sup> There is a state

<sup>20</sup> In course of time the Northwestern Railroad came through from Chicago to Council Bluffs, the Illinois Central ran a line from Fort Dodge to Council Bluffs, and a branch of the Milwaukee crossed the Boyer Valley about seven miles south of Denison.



road now laid out from Ft. Des Moines through the center of Crawford to Sioux City, and it is intended to have another run from Ft. Dodge to Council Bluffs, the next session of the Legislature.

One year ago there were about 40 inhabitants in the County, now there are about 200. As soon as I had visited the place I was satisfied, that it would be just the point for us, and *especially* if we could secure the *County Seat*.

I had supposed, as I remarked while with you, that it would be a hopeless task to attempt to secure ANY *County Seat*, for the reason that there are so many planning for the same thing.

In that case I learned that Commissioners had been appointed for locating the County Seat, but that their names were unknown to anyone excepting the County Judge,<sup>21</sup> — that the Commissioners themselves did not yet know of their own appointment. I called upon the Judge whose acquaintance I had the fortune to have made before but found his preference for a certain point *nearer him*, and that a number of others were planning for their interest, offering as an inducement, to give the County 40 acres in the heart of the town which the County might have to sell for County purposes,— and that, by law, the Commissioners were paid for their services out of the first sale of lots, and that the amt. of expenses for their services, would be about \$50.

I perceived that the prospects were dull indeed, and I but little hope of success. I then made my plan known to the Judge,— that if we took hold of that point, we should expect to make something of it,— to see that a Saw and

<sup>21</sup> Iowa counties were administered by an officer known as the county judge from 1851 to 1860.— Pollock's *The Historical Background of the County in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXIII, pp. 41–47. For an account of the selection of county seats in Iowa see Swisher's *The Location of County Seats in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXII, pp. 89–128, 217–294, 323–362.

Flouring Mill, a Public House and Store were put up and opened as soon [as] men and materials could put it up, and that the land we entered around there we should expect to see improved, so that the town & farming Community could build up each other. This might be as serviceable to the County as 40 acres in a town with no man or Company interested materially to build up either town or County, and as to the expenses of the Commissioners, I would pay that myself as soon as they had given me the County Seat.

All this looked well to the Judge if he could only be sure that such things would *be done*. I then told him that I would give the County 4 acres in a square for County purposes, but *not* for selling for other purposes,—and would give a Bond for a Deed to 10 acres more on either side of the 4 acre lot, of the same width of said lot and running back far enough to make the 10 acres,—to make the Deed at the close of two years from the location of the C. Seat, *unless* we should have, within that time, put up a Saw & Flouring Mill, Public House & Store, in which case the Bond should be null and void.

In this case you perceive that all we should be hazzarding would be 10 acres of land which will cost us about \$5. an acre = \$50, as it has already been entered and we should have to buy it second handed.

This additional feature seemed to strike him some more favorably. Still he was wavering. Learning that he was putting up a machine for shingles, and which he thought I would need if we went on much building, and being asked how many shingles I would engage in case I secured the County Seat, I thought that there might be some virtue in *shingles*, and knowing that this Judge could have great influence with the Commissioner, and that his shingles—well selected or assorted Walnut shingles would be worth the \$3.50 a thousand, his price, that the sacrifice could not



be great if I took all he could make in one year, or 300,000, as he thought. I told him I would buy all he had to the amount of 300,000, upon these terms and pay him as they were ready. This between you and me, (and I would not have said between others) had more influence than all the rest. But as he construed it, it would be a sign that I was in *earnest* about building up the town, and he finally gave me every assurance that he would secure us the County Seat if possible, as he verily believed it would be the best thing the County could do, to give us the County Seat, as an encouragement to us to take hold with them. As something of a guaranty, I left with him \$50. for the Commissioners, in case they gave me the County Seat, and with a promise that I would pay him besides for all his personal trouble in going with the Commissioners to look at the different points, and among them of course the said *mill seat*, and he is to defer notifying the commissioners of their appointment for at least 30 days till he can hear from me. They are first to look at the ground and if willing to give us the County Seat, they are to let me know it. Then I am to go to the men owning the land in the vicinity and buy the land, upon the terms already agreed upon between us, and then I am [to] arrange with the commissioners for the County as above stated. To the men owning same land, I said nothing about the *County Seat*, I said to them that if I bought the mill seat I wanted "Elbow room" and should not buy without it, and that I could [not] tell whether I wished any of it or not, until I had looked farther to see if I could better myself. As they were very desirous to have a Flouring Mill put up, they agreed to let me have the land much cheaper than otherwise, and give me from 30 to 40 days to decide. They own together about a half section or about 320 acres which we ought to have if we locate there, and it will cost about 18 or \$1900. The mill seat will cost



\$100, and if a saw & Flouring Mill be not put up within 18 months then \$100 more. Outside of this 320 acres government or vacant land commences and we can get any amt. of Government land all around it, at \$1.25 an acre. While the land which we should have to buy would be worth much more than cost the next day after it is bought, as it *now* is and of course much more if the County Seat should be located thereon.

I have taken some pains to ascertain about how town lots [sell] in the various County Seats around here that are but one and two years old, and find that they vary from \$25. to \$200. a lot, which would make the land worth from \$100. to \$800 an acre.

I could fill up several sheets if necessary and if I had time. But it is now a quarter past 12 o'clock at night, and I wish to leave early in the Morning for Rock Island, and that for two reasons,—the one is that I find a letter here for me stating that my wife is very sick and that they wish me to return immediately, and another is that I may get the remaining Warrants which you say are sent by Express to that point, and to give you time to receive this letter, and to send me at Rock Island a Draft on New York for the balance of that money *provided* you wish to enable me to secure the County Seat of Crawford County. You will remember too that I shall have to pay at the Land Office 2½ cents an acre for all lands entered by Land Warrants, and which of course you will send me that I have the where with for meeting that charge. I presume of course, that it escaped your mind at the time of sending the Warrants. Or possibly it may be enclosed with those sent by Express to Rock Island. It will be some \$550, as the number of acres may be.

I would like to have as little publicity as possible given as to the definite place or county I have in view, until I have

secured all the land we want for our farming community. As soon as it is known that any special efforts are being made in any place or County, speculators will immediately enter all the land they can get hold of in its vicinity and then hold on to it till they can get a great profit, whereas we would like to have all that can be put under cultivation. I have a plan which I will give you in other letter upon this point. But that has nothing to do with this present undertaking.

There are 20 families already in the neighborhood and vicinity of the Mill Seat, scattered along and among the groves. There is one Saw Mill within  $2\frac{1}{2}$  miles above the said mill seat, which would be very much to our interest, as we can have all the lumber we want to commence with. Lumber ranges from \$15. to \$20. a thousand. In this Saw Mill there is also a Small Stone for grinding Corn and also wheat without bolting, which are of real service to the neighborhood. Some come 30 and 40 miles to this mill. There is no Flouring Mill short of near 100 from this settlement, and all groceries and dry goods are obtained from Council Bluffs or Fort Des Moines. A Flouring Mill & Store and mechanics of all kinds would do exceedingly well here, if opened on a right way. My plan is not for the Company to advance means to put up all these improvements at their own risk. We should endeavor to find some one or a company who would engage in the work for their own interest and own the concern. It might be a question of policy whether we would *sell* the Mill Seat or *rent* it. We would do the best we could. It might be necessary or policy to loan some one or Company, who would be *responsible*, the means in part for putting up the Building and take security upon their property therefor. But of this and particulars "more anon."

You must make allowance for omission of some words in



this long letter, for it is too long and too late for me to think of *reviewing*.

Very Respectfully

Yours etc,

J. W. Denison.

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Ft. Des Moines Iowa

Nov. 22d 1855.

Dear Sir,—

I concluded best to *secure* some of the lands immediately around the Mill Seat spoken of in the accompanying letter, and for this purpose I have inclosed and sent 37 of the Warrants to the Register of Land Office at Council Bluffs with full particulars, directions and instructions, as I have done on former occasions, and sent or inclosed a Draft on New York of \$111, to meet the charges of 2½ cents per acre, or \$5. a Warrant, and sufficient besides to pay him for his trouble and business. I paid 1½ per cent for the Draft.

I have thereby doubtless secured enough of the lands around where the County Seat will most probably be, as to give us the advantage over others.

The lands thus entered will pay well even if we should fail to secure the County Seat, since they [are] immediately in the vicinity of the timber and of the settlements already made, besides being the very choicest of the lands around there.

Timber land is all taken of course and can be had *second handed* for about \$10. an acre. Within 12 months it will be worth from 15 to \$20. to the acre.

J. W. D.

P. S. It might be well to secure some of the timber land to parcel out in small quantities to the farming community.

J. W. D.



Fort Desmoines, Iowa  
Nov. 22d. 1855.

Respected Sirs —

Yours of the 10th and 12th inst. accompanied with 3 packages of Land Warrants addressed to me, Care of Cook Sargent & Cook and in which yours of the 12th says there are “135 Land Warrants containing 16360 acres have been duly received and the acknowledgement of which I hasten to return.

Am very glad to receive them all safely and shall take special charge of them, though they could be of no service to any one else but myself as they could be entered in no one’s name but my own.

I had just mailed a letter to you of yesterday and to day, giving particulars and acknowledging the receipt of 47 Warrants of 120 each, and of 2 of 160 each when I was told by the Post Master, that these three packages and two letters had been received and handed over to Messrs. Cook, Sargent & Cook.

I should or might have mentioned in that letter to you, that I am favorably acquainted with the gentleman in the Land Office at Council Bluffs, and that I *think* he will be specially favorable with me.

Very Respectfully,

J. W. Denison.

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Rock Island Ill.

Dec. 4th 1855.

Dear Sir —

You have doubtless ere this received my acknowledgement of the Land Warrants received at Ft. Des Moines, and my request for “about the balance” of the money in the Treasury; and the motive for which, I have no doubt that you appreciate,—and also of my design to send an

agent to complete the arrangement I have commenced, as also of the sickness of my wife.

Am very glad to be able to say that Mrs. Denison is more comfortable, and has been for several days, and so much so that it is thought safe for me to make another trip into Iowa, and attend to the business myself, and which I have concluded to do.

It is now the 4th day of December, and as I have but till the 15th for securing the propositions made me at Crawford you will perceive that it is not prudent for me to remain longer, as it will take me, six or seven traveling days of about 40 miles a day, to reach there.

It being important, in my judgment, to secure the location, and for this purpose to purchase some 4 or 500 acres of second handed lands, I have ventured and concluded to hire \$2500, and procede immediately to the field.

If you write me, favoring the measure, all right, if not, then as I said before, in my last letter, I will assume all damages myself, and select another location.

I may be too sanguine of the importance of securing a *County Seat*. But it is really more than I had dared to hope for, since it is a very difficult thing to secure one, and that too for the reason that *so many* think it important, and compete for it. Then again it is not every County Seat that is of equal importance, and I flatter myself that this is one of the favorable ones, since it is not only *central* and therefore where no future effort would probably be made to remove it, but is at a natural point for business and commerce.

The plan or *a* plan I have thought of suggesting, was something like this,—

To devise some means for settling the *best* portion of the County by an efficient class of farmers. It is evidently for our interest, that the sooner the surrounding parts could be



settled, the more rapidly and surely the lands of the Company would advance. It is also reasonable, that many families of respectable though limited means are deterred from coming West, for the reason that in order to avail themselves of the cheap Dollar and quarter land, they must go beyond the reach of society, and suffer too many privations "to make it pay." Whereas, could there be any measure devised whereby they could have the advantages of good society, and a good market for their produce, and at the same time have the advantage of cheap land, they would very cheerfully go.

Suppose then a circular should issue from the Board of the Prov. West. Land Co. that their agent would meet the citizens and especially farming community at different points through the Eastern States and present to them the subject and effect arrangements with them,—that the Company would agree to select through said agent, the best lands in a County, (in a definite County, though for reasons of policy keep *the* county a secret so far as practicable), that they,—the Company, would select alternate quarter sections (ourselves securing the intermediate ones if we could),—that any one could come into the arrangement, and none but those who would *advance* \$250. for a quarter section or 160 acres, (a fraction over \$1.50. an acre.) and \$750. for improvements upon the place, to be paid *within six months* thereafter,—that the agent would retain 10 per cent of the \$700<sup>22</sup> for attending to the improvements, and invest the balance in the erection of a frame house, and in fencing and ploughing some 20 or 30 acres of land, and planting it with "*sod corn*," so that a home could be *ready for them*, and at least *corn* flour sufficient to keep themselves and their teams, should they come out in the Fall which is the most suitable time for Coming, since it is the

<sup>22</sup> Apparently this should be \$750.00.



best time for health. By coming in the Fall we became accustomed to the climate gradually, so that when the warm weather comes on we are prepared for it, and you seldom hear of sickness among those who come West in the Fall.

Should any of them prefer coming out and putting up the improvements themselves, they could do so, *provided* the improvements *were made*, as this feature should constitute the main and prominent condition in the Contract, as otherwise no one could have any certainty of being in a neighborhood, the very thing desired.

That should any one fail to pay the \$750 within the six months, or to put up the improvements as required, he should forfeit his claim to the land so that it should be the privilege of the Company to take back the land by paying back the \$250, and the amt. if any, invested in improvements, and pay it to them within *three years* from the time they paid their money, and seven per cent interest. (Or I would say, if necessary for increasing the motive, *ten* per cent.) And that if any one, after visiting his place was not satisfied, that the Company would agree to take it off from his hands and pay him back the amt. he had paid, within three years from the time the money had been paid, and seven (7) per cent interest, simple interest.

The privilege of "three years" would be reasonable, as it would give time for making the lands pay the money.

The above is an out-line of something that I am of the opinion, might be made to work well, and for our mutual interest.

Should the Company hesitate about agreeing to take back lands as above suggested, I would agree with the Company to assume the whole of that feature myself, as I would like nothing better than to take lands thus I have entered myself and lands improved under my own supervision and agree to pay as above provided.

Of course I should expect to employ at my own expense, a number of competent men to aid in superintending the business.

To illustrate with a few figures. Suppose we could purchase Land Warrants at a Dollar an acre, through the Winter, as from present prospects we can. (I will give my reason for this by & by). Then 160 acres would cost \$160, saving \$90 of the \$250, for the Company, on each quarter section. Suppose we could secure but the amount of one Township or 36 sections or 144 quarter sections, (and I believe we could secure five times that), then the profits would be 144 by 90, which would equal \$12,960. Dividing this upon the same terms as govern our present relation, one third or \$4,320 would be my share, and \$8,640. for the Company, to say nothing of the enhanced value of the lands that we would own, in and around the County Seat, (if we have it) and the intermediate lands between the quarter sections sold and improved.

If this could be done, and I see no reason why it could not, it would be one of the grandest measures of Yankee-dom, or Prairie-dom.

There are hundreds and thousands of our Eastern farmers who would like to come West, and who would come if they could avail themselves of advantages such as contemplated.

There is another very interesting feature in this case, and which cannot always be found, and it is this,—the very best lands in Crawford County lie on the main County and State roads running through the County, just as beautiful as can be desired. We should be able therefore to make our selections not only of the choicest lands in the county, but *upon* the main thoroughfares, to other points around us.

The greatest objection, as I mentioned in another letter,



is the want of timber, but that is really no objection, in my judgment, since the disadvantages are equally met by the advantages. Such as facts can demonstrate should occasion require.

I have given some thoughts, while riding over the Prairies, as to some suitable plan for improving lands to the best advantage. I will illustrate one of them by a rough sketch.

What we want, is to form a *neighborhood* so as to have school and social advantages. Suppose then we enter four sections in a body. This would form a square of 2 miles on each side, since each section is 1 mile square. This would require but 8 miles of fence to inclose the whole of it, where it would require 4 miles of fence to inclose a single section. In the first place then there would be saving of fence. By putting up 2 houses on each side, there would be 8 houses, and each one 1 mile only from another, and each one also 1 mile only from the *Center*, where the school house could be. We have therefore a very pretty settlement or neighborhood formed & with a school house equally advantageous to all, and the Company would own four of the outer quarter sections,<sup>23</sup> and the four central ones, which *might* be much to their advantage, as this central point would be a very suitable place for a small village. And if owned by others, they might compete in some instances with the business of the "City." Then too, after selling out our interest in the "City" property, we might avail ourselves of these or some of these central points and sell out our interest in them in *town lots*.

By this arrangement you will perceive that the blank quarter sections, 8 of them are fenced & with only 2 miles of fence, each party meeting the expense of his own fence,

<sup>23</sup> There would be twelve quarter sections on the outside of this square with four in the center.



the one owning the corner lots, having more fence than any of the rest. Our four inside lots would all be fenced lands, without having any fence!

Two roads could run at right angles through this neighborhood, along the section lines, by having gates. They would all be interested in keeping the fence up and the gates closed, and their stock out side, and as they had time and means, they could each fence in their farms as they wished.

This is the kind of neighborhoods that I would like to establish all along those state and County roads.

You can think of the matter, and if the health of my family will admit of my leaving a few weeks during the winter, and the Company should wish, I would be willing to make you a visit and effect the most we could.

Your suggestion in relation to my entering the lands in my own name to save objections at the Land Office has suggested to me another thought which is worth a moments reflection.

Until this Company shall become incorporated,<sup>24</sup> all lands coming in their possession must give an interest to their *wives*, just as much as though there were but two individuals in the Company. And they could not give a Warrant Deed to such lands without the signatures of each member of the Company, not only, but also of their wives, if they had any.

If this is the case, and I can see no reason why it is not, then it would certainly be a very great convenience to have the lands held in my name till the Company become incorporated. You have competent and able judges of such things among you, and you can decide upon what is policy or prudent in the matter.

<sup>24</sup> The Providence Western Land Company was not incorporated until February, 1862.

Thus you have another moderately long letter. You have not informed me whether you have received my acknowledgment of the \$3100, at Albany N Y. nor explained the cause of the first and second letter not being received.

Very Respectfully

Your Humble Servt.

J. W. Denison.

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Ft. Des Moines, Iowa

Dec. 12th 1855

Gentlemen,

You have probably received mine of the 5th inst. stating that I was intending to leave the same day for Crawford. I did so, and have progressed as far as the Central City of Iowa, and as far as one week would allow, through mud and water, snow and frozen mud holes and regular “Down Easters.” Last Friday & Saturday, it rained all the time, —towards last of Saturday the wind blew without any mercy on these Prairies so that we really feared that our Buggy would be used as a playball. Saturday night the wind changed around to the North West, and made a cradle of our house, and by morning the ground was frozen so as to hold up a horse, with about one inch of snow. Sunday as usual we rested from our labors, and by Monday the wind had subsided so that by covering up in our furs and robes, and riding as over an unfinished road of rough stones, we managed to use up the day by breaking two leaves of one of the springs of our Buggy. Yesterday morning Tuesday, we had the spring mended and had gone on about a half mile and in good view of the shop when one of the same leaves broke again. Retracing our steps and commencing *anew*, we made some better and certainly *easier* progress. Since for the last few miles we have had our springs *blocked*, giving us the healthy exercise of a lumber wagon.



The roads are now becoming some better again and we hope to make a little better and more comfortable progress.

Some three weeks ago we had about four inches of snow, but soon lost it. We have now had about one inch, and have had a usual average of snow for the winter,—not heavy, but sometimes *sweet*.

The rush in the Land Offices continues much longer than I supposed it would when I was here a few weeks since. People seem bent on having some of this *cheap land* that a favoring Providence has given to the world. With eyes blindfolded and head long they make their entries, believing that nothing can be lost and something be made.

The Offices have adopted a system of making entries that *some of us* think an outrage and a perfect “gouge game”. It is that of entering by *Ranges*, and then allowing two or more wishing the same land to *bid*, instead of giving preference to priority of application. By this system a man may make personal surveys and be at great expense in finding lands and then hasten to the Office, when lo, that Range is not before the Office, and by the time its turn may come, others will have learned of this ones surveys and be on hand ready to *bid*, running his risk of the judicious selections the others may have made, and the more willing to risk as they have confidence in the judgment of the one who has made the surveys. Then again if the man can not remain to *wait* till they come to the Range where his lands lie; he will very probably lose his land unless he authorises some agent to bid for him, and then it is uncertain how much he may have to bid. I learn that no land has been entered here in this District, or scarcely any, for some time past for less than \$1.30 to \$1.80 per acre. Most of the Offices take Land Warrants as far as they go, but not all of the Offices. Each Land Office makes regulations for themselves as *they* understand the instructions from Washington.



The Office at Council Bluffs had not adopted this system of entries three weeks ago, so that I am in hopes that the Warrants I sent them were located without being *bid* against. Shall soon know.

The reason for Land Warrants being lower as intimated in my last letter, is that they are not received in payment where lands are bid off at *public* sale, as when the Offices first open. Large amt. of Warrants had been bought up with the expectation that they would, and have since been thrown back upon the market. Besides some of the Offices will not receive them at all when the lands are bought by *Bidding*.

Respectfully,

J. W. Denison

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Council Bluffs Iowa

Dec 22d 1855

Dear Sir —

The 5th inst. from Rock Island, and the 12th inst. from Ft. Des Moines, I sent you letters which you have doubtless rec'd ere this will have reached you. In the one from Rock Island I stated that I had borrowed \$2500, for purchasing some second handed property or lands where we hoped to locate our "City," as also for meeting the charges at the Land Office of 2½ cents an acre or \$3. for Warrants of 120 acres, and of \$4. for Warrants of 160 acres, and that I had borrowed it upon the strength of the balance of the funds or of near the balance thereof in the Treasury. I might also have said that I gave Father Briggs the privilege of opening my letters during my absence, and the power to endorse the Draft should one come, with my name, so as to draw the money, stating also to you that if you did not approve of my purchasing such property, that I would meet all damage, and select some other point.

I may and I may not have occasion to use the money. I have been on the ground and find that strong efforts are making by other parties for securing the County Seat. I have made up my mind however to establish our quarters somewhere near the same point I had in view, County Seat or no County Seat, as no parties hold out other inducements than giving a certain portion of the lots to the County, and have in view no farther measures for building up the place, after they have secured the location of the Seat of Justice. If therefore a good point could be secured for business and suitable measures brought to bear upon its interests, the probability is that the County Seat could not injure it *much*, and *might* be brought ultimately to such business point. I have not yet however given up all hope of securing the County Seat at this time. The Commissioners appointed for locating it have not yet been together, though they are expected soon. My purpose is to be on the ground when they are and see them myself.

The Judge of whom mention was made in one of my recent letters, and who has agreed with me to give them notice as soon as I was ready, and who said that no one knew who they were but himself and not even themselves, "had bargained", as I learned upon my arrival, with a certain gentleman whose name he had promised to keep secret, (and who is a competing party, for I learned his name through the wife of the Judge) to give him the privilege of serving the notice upon the Commissioners, thus of course giving him the advantage of "telling his story first" and possibly managing with the Commissioners for his interest, depending somewhat probably upon their "metal." I proposed to the Judge, giving *my* services in assisting to serve the notices! but he said he had "bargained" with some other man to do that, so he would have to do as he had *agreed*. I am fearful he has had *too good living*, during

my absence, & has at some sumptuous table, lost control of himself! His *family* are much interested in *my* plans, and I *believe* if he had not been quite so free at the table during some unguarded moment, I could still induce him to let me share also in the public services of the day.

I shall be able to be more definite soon when I will write you again.

Of the 37 Warrants that I sent to this Office for location, as stated in a letter to you from Ft. Des Moines, 24 have been located as directed, and the Duplicates sent to me at Rock Island.

All the Land Offices have now adopted the plan of “ENTERING BY RANGES”, and a man must wait till the “wheel rolls round” before he can secure lands. For instance, at the Land Office they are now entering lands in the North West corner of the District, and before they will probably be around again to the place I have in view, some two weeks will pass away.

The rush is still very great at the Offices. All Land speculators and the “rest of mankind” seem to be rushing into them, and the expectation is, that in the spring, all the rest of them will come, and make a general sweep of every thing in the shape of government land. The rush is great enough *now*; but what it will be in the spring we can only imagine. However, when Iowa is used up, Nebraska & Kansas will be open where “Popular Sovereignty” can reign.

Very Respectfully,

J. W. Denison

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Council Bluffs Iowa

Jan. 10th 1856

Dear Sirs,—

All well. We are not yet frozen by the unusual & unex-



pected severity of weather. "Since the recollection of the oldest inhabitant!" there has never been such a Winter here as the present. In this section of the West we have but about 8 inches of snow. At Sioux City they have about 2 feet of snow, and one or two hundred miles still farther North the snow is said to be 10 feet deep.

Had we not been *prepared* for almost any degree of cold, we must have suffered severely. Many have suffered much, and a number have frozen to death. But myself & Company, though experiencing some severe trials, have nevertheless kept about our business the same as though we had mild weather. The *sleighing* is as good and I think the best I ever *enjoyed*. It is thought around here, and with some show of reason, that any one, riding over the bleak Prairies this season of the year, *ought* to secure *choice selections*. And I flatter myself that I have done so. By perseverance, things look better, than I dared to hope a few weeks since. "Perseverencia vincit omnia."

There is now but one thing in the way of my securing the County Seat,—and that is, the *delay* and tedious manner the Officers in the Land Office are doing business. They are entering by "Ranges," so that no one can enter lands till they come around to the place where he wishes to enter. This course would do, if they were not so long about it.

I have made a selection of a point where the County Seat can be located so as to satisfy all parts of the *County*. The "why's and wherefore's" I need not here state. But I have things so arranged that I am satisfied I can secure my object, provided I can buy the land, or rather *enter* it, sufficiently soon. The Commissioners *are not yet* notified. (Their names are with me.) The truth is I do not wish them to be notified, till I have secured the land I want, as then there will be nothing left to induce them to *speculate*.

If the people do not get too uneasy in wishing to know

where the Seat of Justice is to be located, it will all work right, and I am persuaded that it will "any way". If I can succeed in securing my object, my most sanguine wishes will be met. The point selected, is not only, in *itself*, the most desirable point, but it is on *government* land, and about in the Center of my entries, or in the center of what has been and will be entered.

I leave again today for Crawford, and as soon as I am again where letters can be mailed with any certainty I will write you.

Very Respectfully,

J. W. Denison.

P. S. I have found so many *choice selections* and where you could hardly avoid coining the massive gold from them, that I can hardly persuade myself that I *must* leave them for others. I could invest for you \$100,000 on the same terms and about to the same advantage that I can \$10,000. You never will make money faster than by buying up Land Warrants at less than \$1. an acre, as you now can, and have me locate them.

J. W. D.

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Ft. Des Moines, Iowa

Jan. 17th 1856

Gentlemen,—

I have done all I can in Crawford, till the Entering of lands passes the Range where I wish to make entries, and it will be at least four weeks before that will be done. I have left the Warrants and the numbers upon which they are to be located with Saml. Perin of Council Bluffs, the Agent of the Rail Road Company and of Messrs Cook & Sargent, Bankers of Davenport. He is a *gentleman* and has no interest in Crawford,— will therefore without doubt do justice to our interest. If I were in the Office or at Council Bluffs when the lands in Crawford come in market,

I should engage the same gentleman to do the business, so that the other land agents there would not know where or when I was making my entries. That course would be policy, as it would save, in all probability much competition.

I have arranged with the County Judge of Crawford to defer notifying the Commissioners, appointed for locating the County seat of Crawford, till my entries have been made and then to go himself and personally serve the notice. I have not the least question but that the County Seat will be placed upon our land if his influence can secure it. I need not give particulars this time. I *think* all is safe.

I have no fear *now* that any "table will be set" that will tempt him beyond our interest. But allow me here to suggest, what I presume has been understood, that all I say or have said in relation to said Judge should be received as *strictly confidential*. There are a good many good qualities about the Judge and he has more influence in the County than two thirds of all the rest put together.

I have bought the Mill Seat and 80 acres of land for \$230. and have been offered \$450. for it, by a responsible person provided we can loan him money for putting up a mill at 10 per cent, that he may use what means he has for business both in the mill and a store. He is going to make estimates etc. and decide more definitely what he can do as soon as we return to Rock Island, when I shall write you again.

I am now on my way for Rock Island to see my family. Have not heard from them since I left about 7 weeks since.

Very Respectfully Yours,

J. W. Denison



## SOME PUBLICATIONS

*The Brookhart Campaigns in Iowa 1920-1926.* By Jerry Alvin Neprash. New York: Columbia University Press. 1932. Pp. 128. Maps, charts. This "study in the motivation of political attitudes" includes six chapters — an introduction and conclusion and chapters dealing with "Elections and Public Opinion", "History of the Brookhart Campaigns, 1920-1926", "Economic, Ethnic and Political Backgrounds", and "Analysis and Interpretation". The unusual feature of this book is the attempt to explain the vote Mr. Brookhart received on the basis of economic conditions, party influence, and ethnic traits of the voters.

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*Some Enduring Factors in Rural Polity*, by Joseph Schafer, makes up the October, 1932, number of *Agricultural History*.

*Our Ancestral Animals*, by Louise Hubert Guyol, the story of the first animals brought to New England; and *Jackson's Hermitage — An Intimate Record of Its Builder*, by Mary F. Anderson, are two of the articles in the October, 1932, issue of *Americana*.

*Were There Fourteenth Century Christian Europeans in the Land That Became the United States*, by Frank Allaben; "*The Literary Diary of Ezra Stiles*", by Harrison John Thornton; and *Place-Names in Nebraska*, by Mary Ellen Pangle, are three articles of interest to Iowans in *The Journal of American History* for the year 1932.

*Garibaldi's American Contacts and his Claims to American Citizenship*, by H. Nelson Gay; *The Anglo-Saxon Press in Mexico, 1846-1848*, by Lota M. Spell; and *Gerrit Smith and the John Brown Raid*, by Ralph Volney Harlow, are the three articles in *The American Historical Review* for October, 1932. *Notes and Suggestions* include *Documents Available for Research on the Modern History of China*, by Cyrus H. Peake, and *An Annotated*

*Dashiell's Map*, by Hunter Miller. Under *Documents* Holden Furber contributes *How William James Came to be a Naval Historian*.

## WESTERN AMERICANA

*The Archaeology of Porter County*, by J. Gilbert McAllister, is an interesting monograph in the *Indiana History Bulletin* for October, 1932.

*The Lincoln Memorial Way Through Indiana* has been issued in pamphlet form by the Lincoln Memorial Way Commission, appointed in 1930 to ascertain the route traveled by the Lincoln family in 1816. It includes a biographical sketch of Lincoln and a history of the Lincoln Memorial Way.

*Minnesota Historical News* has begun a series of short articles on pioneer leaders in transportation in Minnesota. These include Captain Daniel Smith Harris, Captain Joseph Throckmorton, Captain Russell Blakeley, and James C. Burbank.

*The Alabama Indians of Texas*, by Harriet Smither; and *New Orleans Newspapers and the Texas Question, 1835-1837*, by James E. Winston, are two articles in the *Southwestern Historical Quarterly* for October, 1932.

*Eskippakithiki: The Last Indian Town in Kentucky*, by Lucien Beckner; and a continuation of *Minute Book No. 1, Jefferson County, Kentucky, 1784-1785*, edited by Ludie J. Kinkead, are the two contributions in the October, 1932, number of *The Filson Club History Quarterly*.

*Puget Sound, and the Northern Pacific Railroad*, by Edmund T. Coleman; *The Cruise of the "Forester"*, by Kenneth W. Porter; and *The Dispute Over the San Juan Islands Water Boundary*, by Alfred Tunem, are the three articles in the October, 1932, number of *The Washington Historical Quarterly*.

*Socialized Medicine*, by Gudmund J. Gislason; *Operation of the North Dakota Eugenic Marriage Law*, by Carl P. Birkelo; and a *History of Missouri River Diversion Project*, by A. E. and F. H.

McCutcheon, are three articles of historical interest in the summer number of *The Quarterly Journal of the University of North Dakota* for 1932.

*Albuquerque from the Past*, by James P. Threlkeld; *The Feast of San Antonito*, by T. M. Pearce; *The Grinding Stones*, by Elizabeth Willis DeHuff; and *The Enigma of Emily Dickinson*, by Julia Keleher, are among the contributions included in *The New Mexico Quarterly* for November, 1932.

The *North Dakota Historical Quarterly* for October, 1932, contains two articles: *Official Immigration Activities of Dakota Territory*, by Herbert S. Schell; and *The North Dakota Capital Fight*, by Merle Potter. Under *Notes and Documents* there appears *A Journey to the Black Hills in 1880*, edited by Arthur J. Larsen.

*The World Cruise of the American Battleship Fleet, 1907-1909*, by Thomas A. Bailey; *The Critical Period of British Columbia History, 1866-1871*, by Walter N. Sage; and *The Californians in Spain's Pacific Otter Trade, 1775-1795*, by Adele Ogden, are the three articles in *The Pacific Historical Review* for December, 1932.

The *Ohio Archaeological and Historical Quarterly* for October, 1932, contains four articles on George Armstrong Custer, including *Custer, the Man of Action*, by Ralph D. Cole, and *George Armstrong Custer*, by Governor George White. In addition Guy-Harold Smith contributes *George Washington at the Great Bend of the Ohio River*.

*The Pittsburgh Gazette — A Pioneer Newspaper*, by J. Cutler Andrews; and *The Historical Tour of 1932*, by Franklin F. Holbrook, are the two papers in the *Western Pennsylvania Historical Magazine* for November, 1932. Under *Notes and Documents* there are *Selections from the Letter Book of John Thaw, 1804-1808*, prepared for publication by Mrs. Elisabeth M. Sellers.

*The Colorado Magazine* for November, 1932, contains the following short articles: *Gunnison in the Early Eighties*, by George A. Root; a *Head Hunter's Trophy*, by George Woodbury; *The Thresh-*



*ing Machine for the Meeker Indian Agency, 1879*, by William Shelton; *The Smoky Hill Trail*, by Margaret Long; and *David Barnes, "Father of Loveland"*, by Lena Barnes Gifford.

*Steamboating in the Upper Mississippi Fur Trade*, by William J. Petersen; *The Radisson Problem*, by Albert M. Goodrich and Grace Lee Nute; and *Antonin Jurka, A Pioneer Czech Schoolmaster in Minnesota*, by Esther Jerabek, are the three articles in the September, 1932, issue of *Minnesota History*. There is also a report on the State Historical Convention of 1932.

*The Missouri Historical Review* for October, 1932, contains the following articles: *Judge James Hawkins Peck*, by Charles B. Davis; *Missouri History Values in The Public School Curriculum*, by Pauline Dingle Knobbs; *A New View of the Election of Barton and Benton to the United States Senate in 1820*, by Monas N. Squires; *Battle of Wilson's Creek*, by Robert A. Austin; and *Joseph B. McCullagh*, by Walter B. Stevens.

Volume XXXII of the *Jahrbuch der Deutsch-Amerikanischen Historischen Gesellschaft von Illinois* contains the following monographs: *The Germans of Chicago*, by Andrew Jacke Townsend; *Deutschtum in Ohio bis zum Jahre 1820*, by Helmut Trepte; *Geschichte des Deutschen Theaters von Cincinnati*, by Ralph Wood; *Industry: The First German Settlement in Texas*, by R. L. Biesele; and *Julius Goebel*, by Marie Goebel Kimball.

*Lincoln and the General Land Office, 1849*, by Thomas Ewing; *The Prairie Chicken* (a newspaper), by Thomas O. Mabbott and Philip D. Jordan; *From Central Illinois to the Shenandoah Valley in 1843*, *The Journal of John Edward Young*, edited by Mrs. Frederick L. Hamil; and *Charles Henry Rammelkamp, 1874-1932*, by Merrill M. Barlow, Joe Patterson Smith, Carl E. Black, Frank J. Heintz, and Clarence E. Carter, are the articles in the *Journal of the Illinois Historical Society* for October, 1932.

*Mid-America* for October, 1932, contains five articles and papers — *St. Genevieve Academy: Missouri's First Secondary School*, by Hugh Graham; *Henri de Tonty*, by Ethel Owen Merrill; *Catholic*

*Historical Markers in Michigan*, by William Stetson Merrill; *Development of Trust for Masses in Illinois*, by John W. Curran; and *A Prospectus of the First Catholic Girls' Academy in Illinois*, by Hugh Graham. Under *Documents* there appears a collection of *Letters to Father Timon, C. M.*

*Bullwhacking: A Prosaic Profession Peculiar to the Great Plains*, by Walker D. Wyman; the concluding installment of *Indian Labor in the Spanish Colonies*, by Ruth Kerns Barber; *The Battle of Val Verde*, contributed by M. L. Crimmins; *Biographical Sketch and Bibliography of Adolphe F. A. Bandelier*, by F. W. Hodge; and *Ten Years After: an Appraisal of L. Bradford Prince*, by P. A. F. Walter, are the articles and papers in the *New Mexico Historical Review* for October, 1932.

The Autumn Number of the *Michigan History Magazine* for 1932 includes the following: *William Rufus Shafter*, by Charles D. Rhodes; *Village and Open Country Communities in Michigan*, by Walter A. Terpenning; *The Liberty Meeting in Detroit Dec. 1851*, by Warren W. Florer; *Edwin James Hulbert, Copper Hunter*, by Lew Allen Chase; *Muskegon Fifty Years Ago*, by Edward B. Dana; *Personal Reminiscence of the Big Fire of 1871*, by Mrs. Josephine Sawyer; *The Pewabic Disaster*, by Samuel T. Douglas; *The Early Days of the University of Michigan*, by Wilfred B. Shaw; and a *Syllabus of Michigan History for Schools and Colleges*, by James O. Knauss.

*The MacIntoshes*, by John Bartlett Meserve; *An Unpublished Report by Captain Bonneville with Introduction and Footnotes*, by Grant Foreman; *Edwin Williams, Engineer*, by Hubert E. Collins; *The Indians' Friend, John H. Seger*, by Dan W. Peery; *The Beginning of the Leasing of the Surplus Grazing Lands on the Kiowa and Comanche Reservation*, by Martha Buntin; *Education in the Choctaw Country after the Civil War*, by Angie Debo; *Rev. John Edwards' Account of the Choctaw Indians in the Middle of the Nineteenth Century*, by John R. Swanton; and *Irving's Tour of the Prairie*, by Joseph B. Thoburn, are the articles and papers in the September, 1932, number of the *Chronicles of Oklahoma*.



*History of the American Party in Louisiana*, by W. Darrell Overdyke; a first installment of *Documents Concerning the Crozat Regime in Louisiana, 1712-1717*, translated by Albert Godfrey Sanders, with an introduction by Henry P. Dart; *Sanitary Conditions in New Orleans under the Spanish Regime 1799-1800*, translated by Laura L. Porteous, with an introduction by Henry P. Dart; a fourth installment of *A History of Concordia Parish, Louisiana*, by Robert Dabney Calhoun; and continuations of *Records of the Superior Council of Louisiana*, by Heloise H. Cruzat; and *Index to Spanish Judicial Records of Louisiana*, by Laura L. Porteous, are among the articles and papers in *The Louisiana Historical Quarterly* for October, 1932.

The *Indiana Magazine of History* for September, 1932, contains the following articles and papers: *George Washington and the West*, by Christopher B. Coleman; *Internal Improvements without a Policy (1789-1861)*, by Victor L. Albjerg; *David McDonald*, by Flora McDonald Ketcham; and *A Tale of the Whitewater Country*, by Nelle Decker Hubbard. Under *Documents* there is a *Diary of Taylor N. Snow, Hoosier Fifty-Niner*, edited by Arthur Homer Hays. The December, 1932, number includes the following: *Jonathan Jennings*, by Dorothy Riker; *The Old Vincennes Library*, by Jane Kitchell; *Two Pioneer Homes of Switzerland County*, by Julia Le Clerc Knox; *The Political Career of Benjamin F. Shively*, by H. S. K. Bartholomew; and *Reminiscences of Logansport Civil War Veterans*, by Margaret Stephenson. Under *Documents*, the number contains *Diaries of Judge David McDonald*.

#### IOWANA

The Reverend M. B. Aspinwall is the compiler of a pamphlet, *The First Fifty Years of the Catholic Church in Audubon County Iowa*, which has been published recently.

*Amanas as Their Neighbors See Them Since the Recent Changes to Modernism*, by Roland White, is one of the articles in *The Iowa Publisher*, for November, 1932.

*Silk of the Corn*, a collection of poems by members of the Iowa



Federation of Women's Clubs, edited by Mrs. L. Worthington Smith, has been published by Henry Harrison of New York City. It includes one hundred and sixty-one short poems by eighty Iowa women.

*Forty Years of Co-operation*, a history of the coöperative grain elevator at Rockwell, Iowa, written by Reuben A. Holman, has been printed by the Incorporated Co-operative Farmers' Society of Rockwell. This account of what is said to be the first successful coöperative grain elevator in the United States contains also much interesting local history.

The *Annals of Iowa* for October, 1932, contains the following articles: *Some Methods of Collecting Indian Lore*, by Edgar R. Harlan; *Notes on the Salter-Shackford Correspondence*, by Philip D. Jordan; *The Story of "The Des Moines River Lands"*, by James B. Weaver; *The Aftermath of the Spirit Lake Massacre, March 8-15, 1857*, by Frank I. Herriott; and *First Church and First School in Lowell*, by Charles R. Jackman.

#### SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Allen, Mary Louise,

*If I Were a Fish* (poem) (Parents' Magazine, October, 1932).

Anderson, Howard Richmond,

*The International Status of Belgium 1813-1839* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Anderson, Maxwell,

*Tragedy of Humphrey* (poem) (The New Republic, November 30, 1932).

Arnold, Lionel Kenneth,

*Chemicals Make Fire-Fighting Dangerous* (Scientific Monthly, September, 1932).

Aurner, C. Ray,

*The Early Days of Railroad Building* (Midland Schools, December, 1932).

Baker, Gladys E.,

*A Comparative Morphological Study of the Myxomycete Fructification* (University of Iowa Studies in Natural History, Vol. XIV, No. 8). Iowa City: State University of Iowa. 1933.

Baker, Hugh Potter,

*President of the Massachusetts State College* (School and Society, October 15, 1932).

Becker, Carl Lotus,

*Liberalism, A Way Station* (Saturday Review of Literature, December 3, 1932).

Beer, Thomas,

*Boy Detectives* (The Saturday Evening Post, November 12, 1932).

Beyer, Richard Lawrence,

*Robert Hunter, Royal Governor of New York: A Study in Colonial Administration* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Black, A. G.,

*The Agricultural Emergency in Iowa* (Circular of the Agricultural Experiment Station, Nos. 139, 141). Ames: Iowa State College of Agriculture and Mechanic Arts. 1932.

Black, Forrest R.,

*Ill-starred Prohibition Cases; a Study in Judicial Pathology*. Boston: R. G. Badger. 1932.

Blackmar, Beatrice,

*Heart Remembers* (Ladies' Home Journal, December, 1932).

Blanden, Charles Granger, (Laura Blackburn, pseud.)

*Ascent* (poem) (Christian Century, November 9, 1932).

Bliven, Bruce,

*Sabotage by the R. F. C.* (The New Republic, October 12, 1932).

*Waiting for 1936* (The New Republic, October 19, 1932).

Brewer, Luther A.,

*My Leigh Hunt Library.* Cedar Rapids: The Torch Press. 1932.

Briggs, Harold E.,

*The Settlement and Economic Development of the Territory of Dakota* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Burgess, Robert Louis,

*Can You Get a Square Deal in a Traffic Court?* (The American Mercury, December, 1932).

*Where Did All the Money Go?* (The American Mercury, September, 1932).

*Working for Hearst* (The New Republic, August 10, 1932).

Butler, Ellis Parker,

*Hat of Destiny* (The American Magazine, September, 1932).

Byers, Samuel H. M.,

*Iowa* (poem) (The Palimpsest, November, 1932).

Carver, Thomas Nixon,

*War Debts and Home Markets* (American Bankers Association Journal, November, 1929, reprinted in *The Reference Shelf*, Vol. VIII, No. 4).

Childs, Marquis W.,

*River Town* (Harper's Magazine, November, 1932).

Christensen, Thomas Peter,

*The History of the Danes in Iowa* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.



Cook, Louis H.,

*Wisconsin Turns to the Right* (The Saturday Evening Post, November 12, 1932).

Cooper, Vernom,

*The Public Career of William Boyd Allison* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Cowles, Gardner,

*The "R. F. C." — Its Expanded Scope* (Review of Reviews and World's Work, October, 1932).

Craig, Hardin,

*The University and the College* (The Journal of Higher Education, December, 1932).

Darling, Jay Norwood, ("J. N. Ding")

*Farmers' Holiday* (New Outlook, October, 1932).

Dawson, Albert Foster,

*Republican Senatorial Committee* (Congressional Digest, August, 1932).

Deamer, Arthur,

*Abbie Stone Abbott* (Midland Schools, December, 1932).

Deyoe, A. M.,

*Henry Sabin — An Appreciation* (Midland Schools, October, 1932).

Dickinson, L. J.,

*New Help for the Farmer* (Review of Reviews and World's Work, October, 1932).

Engle, Paul,

*Worn Earth* (poems). New Haven: Yale University Press. 1932.

Ensign, F. C.,

*D. Franklin Wells — 1830-1868* (Midland Schools, November, 1932).

Evanson, Chellis Nathaniel,

*Sir Francois Nicholson, A Royal Governor in the Chesapeake Colonies during the Period of 1690-1705* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Ficke, Arthur Davison,

*Soul in Torment* (poem) (The Forum, September, 1932).

Findlay, C. V.,

*Planning the Community* (The Iowa Transit, December, 1932).

Frederick, John Towner,

*Place of Creative Writing in Graduate Work in English* (Education, November, 1932).

Gallaher, Ruth A.,

*S. H. M. Byers* (The Palimpsest, November, 1932).

Gard, Wayne,

*Drive Against Din* (North American Review, December, 1932).

*Farmers' Rebellion* (The Nation, September 7, 1932).

*Thunder in the Corn Belt* (World Tomorrow, November 2, 1932).

Garland, Hamlin,

*My Friendly Contemporaries*. New York: The Macmillan Company. 1932.

Geiser, Karl Frederick,

*Hitler's Hold on Germany* (The Nation, November 16, 1932).

Giddens, Paul Henry,

*Maryland in the Time of Governor Horatio Sharpe, 1753-1769* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Gilmore, Eugene A.,

*Liberalizing the Volstead Act* (Iowa Law Review, November, 1932).

Glaspell, Susan, (Mrs. Norman Matson)

*Jury of Her Peers* (Golden Book Magazine, December, 1932).

Gould, Bruce,

*A Fourth at Bridge* (The Saturday Evening Post, December 24, 1932).

*My Maryland* (The Saturday Evening Post, August 20, 1932).

*Pompon from the Hat of a Sailor* (The Saturday Evening Post, October 29, 1932).

Haefner, Marie,

*Argonauts of the Mississippi* (The Palimpsest, December, 1932).

Hall, James Norman,

*At Forty-Five* (The Atlantic Monthly, September, 1932).

*Return to Flanders* (poem) (The Atlantic Monthly, September, 1932).

Hall, James Norman, (Joint author)

*Mutiny on the Bounty*. Boston: Little, Brown & Co. 1932.

Hansen, Marcus L.,

*The Minor Stocks in the American Population of 1790* (Annual Report of the American Historical Association, 1931, Vol. I).

*The Population of the American Outlying Regions in 1790* (Annual Report of the American Historical Association, 1931, Vol. I).

Harlan, Edgar R.,

*Some Methods of Collecting Indian Lore* (Annals of Iowa, October, 1932).

Herriott, Frank I.,

*The Aftermath of the Spirit Lake Massacre, March 8-15, 1857* (Annals of Iowa, October, 1932).



Hoeltje, Hubert H.,

*Emerson in Virginia* (The New England Quarterly, October, 1932).

Horack, Frank E.,

*The Teachers' Minimum Wage Law in Iowa* (Educational Law and Administration, October, 1932).

Hunter, William Luther,

*Concrete Problems from Homemade Forms* (Industrial Arts and Vocational Education, November, 1932).

Jackman, Charles R.,

*First Church and First School in Lowell* (Annals of Iowa, October, 1932).

Jacobson, Paul B.,

*Two Experiments with Work — Type Reading Exercises in Ninth Grade* (University of Iowa Studies in Education, Vol. VIII, No. 5). Iowa City: State University of Iowa. 1933.

Jones, William P.,

*A Modern Method of Unloading Grain* (The Iowa Transit, November, 1932).

Klippel, Floyd,

*Parks and Playgrounds* (American Municipalities, November, 1932).

Knutson, Clarence,

*The Sales Tax* (American Municipalities, November, 1932).

Kresensky, Raymond,

*Joseph* (poem) (Christian Century, October 19, 1932).

*Relic* (poem) (Christian Century, August 17, 1932).

Laidler, Harry Wellington,

*Third Party Possibilities* (North American Review, September, 1932).

Lechlitner, Ruth, (Mrs. Paul Corey)

*How Many Summers* (poem) (Poetry, September, 1932).

Lueck, William R.,

*The Arithmetical and Algebraic Disabilities of Students Pursuing First Year College Physics* (University of Iowa Studies in Education, Vol. VIII, No. 1). Iowa City: State University of Iowa. 1932.

McElroy, Margaret,

*Modern Variants of the Niche* (House and Garden, September, 1932).

McNeely, Marian Hurd, (Mrs. Lee McNeely)

*The Way to Glory, and Other Stories*. New York: Longmans, Green and Co. 1932.

Maier, Marque,

*Lina Sarger*. Boston: The Christopher Publishing House. 1932.

Meigs, Cornelia Lynde,

*Swift Rivers*. Boston: Little, Brown and Company. 1932.

Miles, Frank,

*Iowa in the World War* (Midland Schools, November, 1932).

Miller, James Nevin,

*Clouds Measure Wind Speed* (Nature Magazine, September, 1932).

Millikan, Robert Andrews,

*Diffusion of Science* (Scientific Monthly, September, 1932).

*Present Status of Theory and Experiment as to Atomic Disintegration and Atomic Synthesis* (Annual Report of the Board of Regents of the Smithsonian Institution, 1931).

*Time, Matter, and Values*. Chapel Hill, N. C.: University of North Carolina Press. 1932.

Moats, Francis Ireland,

*The Educational Policy of the Methodist Episcopal Church Prior to 1860* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Murphy, Donald Ridgway,

*Blockade of Sioux City* (The New Republic, August 31, 1932).

Neidig, William Jonathan,

*Cat's Bells* (The Saturday Evening Post, September 10, 1932).

Paine, Albert Bigelow,

*Life and Lillian Gish*. New York: The Macmillan Company. 1932.

Patterson, Geo. W.,

*Net Income Tax* (American Municipalities, November, 1932).

Peck, Millard,

*A Plan for Adjusting Cash Rent to Changes in the Prices of Farm Products* (Agricultural Experiment Station Bulletin, No. 295). Ames: Iowa State College of Agriculture and Mechanic Arts. 1932.

Petersen, William John,

*Early Mississippi Steamboats* (Midland Schools, October, 1932).

*Lexington of the North* (The Palimpsest, September, 1932).

*Steamboating in the Upper Mississippi Fur Trade* (Minnesota History, September, 1932).

*Steamboating on the Upper Mississippi 1823-1861* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Propst, Louise,

*An Analytical Study of Shelley's Versification* (University of Iowa Humanistic Studies, Vol. V, No. 3). Iowa City: State University of Iowa. 1932.



Ristan, Kenneth E.,

*Hydraulics Development on the Mississippi* (The Iowa Transit, October, 1932).

Ross, Earle D.,

*Northern Sectionalism in the Civil War Era* (The Iowa Journal of History and Politics, October, 1932).

Sabin, Edwin Legrand,

*Mississippi River Boy*. Philadelphia: G. B. Lippincott Co. 1932.

St. John, James Hamilton,

*Anglo-Spanish Commercial Relations 1700-1750* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Saltzman, K. Eleanor,

*Elder Brother* (The Midland, September-October, 1932).

Schramm, Wilbur Lang,

*"Hiawatha" and Its Predecessors* (Philological Quarterly, October, 1932).

Schultz, Theodore W., (Joint author)

*The Voluntary Domestic Allotment Plan* (Agricultural Experiment Station Circular, No. 141). Ames: Iowa State College of Agriculture and Mechanic Arts. 1932.

Seashore, Carl E.,

*Recognition of the Individual in Teaching* (Proceedings of the Ninth Annual Meeting of the American Association of Dental Schools).

*The Scholar as a Person* (Sigma Xi Quarterly, September, 1932).

Shaw, Albert,

*Civic Progress Under Stress of Hard Times* (Review of Reviews and World's Work, November, 1932).

*Private Leisure and Public Service* (Review of Reviews and World's Work, October, 1932).

Shepherd, Geoffrey,

*The Agricultural Emergency in Iowa* (Agricultural Experiment Station Circular, No. 140). Ames: Iowa State College of Agriculture and Mechanic Arts. 1932.

Sherman, Stuart Pratt,

*Conversation with Cornelia* (The Atlantic Monthly, November, 1932).

Shultz, Mrs. Gladys Denny,

*Sweet are the Uses* (Better Homes and Gardens, December, 1932).

*We Come to Understand Jimmy* (Better Homes and Gardens, October, 1932).

*Well, Well! Peter Has Never Been Spanked* (Better Homes and Gardens, September, 1932).

Sieg, Lee Paul,

*Who Are the Good Teachers* (School and Society, October 15, 1932).

Smith, Lewis Worthington,

*Democracy in Eclipse* (Christian Century, August 19, 1932).

Stoddard, George Dinsmore,

*Kindergarten and Nursery Schools* (Journal of the National Education Association, December, 1932).

Sunday, William Ashley, ("Billy Sunday")

*Sawdust Trail: Autobiography* (Ladies' Home Journal, September, October, November, December, 1932).

Swartz, Willis George,

*Anglo-Russian Rivalry in the Far East 1895-1905* (Abstracts in History. University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Swisher, Jacob A.,

*The Career of Cyrus Bussey* (The Iowa Journal of History and Politics, October, 1932).

Taylor, Alonzo E.,

*The Forthcoming International Economic Conference* (The Saturday Evening Post, December 31, 1932).

Thornton, Harrison John,

"*The Literary Diary of Ezra Stiles*" (The Journal of American History, Vol. XXVI, 1932).

Vasey, Harold B.,

*Municipal Administration — A New Profession* (The Iowa Transit, November, 1932).

Walton, Gertrude H.,

*The Good Ghost* (Two Short Plays for Little Folks). Franklin, Ohio: Eldridge Entertainment House. 1932.

Weaver, James B.,

*The Story of "The Des Moines River Lands"* (Annals of Iowa, October, 1932).

Williamson, Arthur Shelburn,

*Credit Relations between Colonial and English Merchants in the 18th Century* (Abstracts in History, University of Iowa Studies in the Social Sciences, Vol. X, No. 2). Iowa City: State University of Iowa. 1932.

Williamson, Thames Ross,

*Are Publishers Feeble-Minded?* (The Bookman, November, 1932).

*On the Reindeer Trail*. Boston: Houghton Mifflin Co. 1932.

Willson, Dixie,

*Ghost of a Halfpenny Lane* (The Delineator, November, 1932).

Wright, Luella M.,

*Literature and Education in Early Quakerism* (University of Iowa Humanistic Studies, Vol. V, No. 2). Iowa City: State University of Iowa. 1933.



Wylie, Josephine,

*Let's Make Thanksgiving Entertaining Easier for Mother*  
(Better Homes and Gardens, November, 1932).

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Genealogical record of Washington County, by Mrs. C. A. Speer, in the *Washington Democrat-Independent*, August 18, 25, September 1, 8, 15, 22, 29, October 6, 13, 20, 27, November 3, 10, 17, 24, December 1, 8, 15, 22, 29, 1932.

Geological history of Iowa, by Hubert L. Moeller, in the *Des Moines Register*, September 12, 1932.

Driving home the cattle, by Ellis E. Wilson, in the *Waterloo Courier*, September 12, 1932.

History of Danville Methodist Episcopal Church reveals story of the pioneers, in the *Burlington Hawk-Eye*, September 12, 1932.

Some early academies in Iowa, in the *Mount Pleasant News*, September 12, 1932.

Some incidents in the life of James Harlan, in the *Mount Pleasant News*, September 12, 1932.

Pioneers of Poweshiek County, in the *Grinnell Herald*, September 13, 1932.

Mayor of Pella once advertised for marriages, in the *Knoxville Journal*, September 15, and the *Osceola Tribune*, October 4, 1932.

Humboldt skeletons are identified as Indian remains, in the *Gilmore City Enterprise*, September 15, 1932.

Sketch of career of Justice John M. Grimm, in the *Des Moines Tribune*, September 15, 1932.

Aged women were pioneer settlers of Sanborn, in the *Sioux City Journal*, September 15, 1932.

Historical sketch of Federal Highway 55, in the *Guttenberg Press*, September 15, 1932.

Historical sketch of the Methodist Church at Birmingham, by Mrs. O. S. Calhoun, in the *Birmingham Enterprise*, September 15, 1932.

Sketch of the life of Frank E. Thompson, in the *Burlington Gazette*, September 19, and the *Burlington Hawk-Eye*, September 20, 1932.

Mrs. Ella Perkins was pioneer of Hardin County, in the *Webster City Freeman-Journal*, September 19, 1932.

Iowa City ranks second to Des Moines in "Who's Who in America", in the *Iowa City Press-Citizen*, September 19, 1932.

Third party movement of the seventies championed the under dog, by Frank B. Taylor, in the *Indianola Tribune*, September 20, 1932.

History of the *Seymour Herald*, in the *Seymour Herald*, September 22, 1932.

J. Fred Meyers was one of first members of Lutheran Church at Denison, in the *Denison Bulletin*, September 22, 1932.

C. E. McCollum finds old car-coupling knife, in the *Valley Junction Booster-Express*, September 22, 1932.

Early history of Mason City post office, in the *Mason City Globe-Gazette*, September 22, 1932.

Henry Crosley finds petrified skull near Lowell, in the *Burlington Gazette*, September 24, 1932.

Mrs. Ellen D. Stilson came to Black Hawk County in 1857, in the *Waterloo Courier*, September 25, 1932.

Mr. and Mrs. J. J. Hargreave came to Iowa in covered wagon, in the *Fort Dodge Messenger & Chronicle*, September 27, 1932.

Some historical records in Chickasaw County, in the *Nashua Reporter*, September 28, 1932.

Mrs. Rebecca Pollard (Kate Harrington) taught school in Lee County, in the *Keokuk Gate City*, September 28, 1932.

Unearth huge tooth in gravel pit near Holstein, in the *Correctionville News*, September 29, 1932.

Skeleton unearthed near Missouri line, in the *Blockton News*, September 29, 1932.

Early frame houses in Humboldt County, in the *Humboldt Republican and Independent*, September 30, 1932.

Early cheese factories in Washington County, by Lucile Nicola, in the *Washington Journal*, October 1, 1932.

Mrs. Emma Graham recalls old times at University of Iowa, by Eliza Hickok, in the *Cedar Rapids Gazette*, October 2, 1932.

St. Anthony Padua Chapel erected in 1885, by Harvey Ingham, in the *Clayton County (Strawberry Point) Press-Journal*, October 6, 1932.

Sketch of life of E. D. Baird, in the *Marengo Pioneer-Republican*, October 6, 1932.

Students of Washington Academy published magazine, in the *Washington Democrat*, October 6, 1932.

Letter he wrote during Civil War returns to Eli B. Cramblitt, in the *Ames Tribune*, October 6, 1932.

Early history of St. Charles, by H. A. Mueller, in the *St. Charles News*, October 6, 13, 1932.

Historic trees in Woodbury County, by C. C. Everhart, in the *Moville Mail*, October 6, 1932.

Early days in northeastern Iowa, by Mrs. C. E. Ryan, in the *Manchester Press*, October 6, 1932.

Mrs. Carolyn Hayne Abram recalls early days in Marshalltown, in the *Marshalltown Times-Republican*, October 8, 1932.



Iowa farmers froze out U. S. Grant in hog buying, in the *Clinton Herald*, October 10, 1932.

Sketch of the history of the Marion courthouse, by Fred C. Henson, in the *Cedar Rapids Gazette*, October 11, 1932.

Old times in Adel, by Frank L. Sweeley, in the *Dallas County (Adel) News*, October 12, 1932.

Guerrillas raided Davis County in 1864, by E. F. Pittman, in the *Ottumwa Courier*, October 12, 1932.

Sketch of the history of the Bethel Presbyterian Church, by Maurice L. Meyer, in the *Washington Democrat-Independent*, October 13, 1932.

Local merchants display rare antiques, in the *Keokuk County (Sigourney) News*, October 13, 1932.

Early schools in Marion, by Mrs. Emery Terrell, in the *Marion Sentinel*, October 13, 1932.

Early days of Upper Mississippi transportation recalled by George B. Merrick, in the *North Iowa (McGregor) Times*, October 13, 1932.

Mrs. Louis P. Keim was pioneer of Jefferson County, in the *Fairfield Ledger*, October 15, 1932.

Sketch of the life of Justice Edgar A. Morling, in the *Des Moines Register*, October 16, the *Fort Dodge Messenger & Chronicle*, October 17, and the *Emmetsburg Democrat*, October 20, 1932.

Hannibal Ellsworth was great singer, by Ellis E. Wilson, in the *Waterloo Courier*, October 17, 1932.

Sketch of life of Audley G. Butler, in the *Muscatine Journal*, October 17, 1932.

History of Samuel S. Scott, pioneer, in the *Bellevue Herald*, October 18, 1932.

Pioneers recall old times in Mahaska County, in the *Oskaloosa Herald*, October 18, 1932.

Pioneers found draining sloughs hard work, by Ed Henderson, in the *Lake Mills Graphic*, October 19, 1932.

Alice L. Stanard recalls Lincoln-Douglas debate, in the *Cedar Valley* (Vinton) *Times*, October 19, 1932.

Some poems of S. H. M. Byers, in the *Oskaloosa Herald*, October 19, 1932.

Matt Kickles has large collection of guns and Indian relics, in the *Des Moines Tribune*, October 19, and the *Hardin County* (Iowa Falls) *Citizen*, October 20, 1932.

Hanford MacNider has fine collection of Iowa maps, by Harvey Ingham, in the *Des Moines Register*, October 19, 1932.

R. D. Riekens came to Iowa in the sixties, in the *Grundy County Register* and the *Hardin County* (Eldora) *Ledger*, October 20, 1932.

Sketch of the life of F. G. Balluff, in the *Davenport Democrat*, October 20, 1932.

Legal career of George Claussen is colorful one, in the *Clinton Herald*, October 20, 1932.

Map of Indians on western border of Iowa in 1837, in the *Des Moines Register*, October 20, 1932.

Maysville was pioneer Franklin County community, by Fred La-zell, in the *Des Moines Tribune*, October 21, 1932.

Sketch of the life of Mrs. P. M. Crapo, in the *Burlington Hawk-Eye*, October 25, 1932.

Sketch of the career of Judge J. S. Dewell, in the *Missouri Valley Times*, October 25, 31, 1932.

General W. T. Sherman analyzes the depression of 1878, in the *Mason City Globe-Gazette*, October 25, 1932.

Prairie trails from McGregor to Black Hawk County, by Ellis E. Wilson, in the *Waterloo Courier*, October 26, 1932.

Unearth femur of prehistoric monster in Hardin County gravel pit, in the *Union Star*, October 27, and the *Marshalltown Times-Republican*, November 26, 1932.

James McCreary voted for twenty presidents, in the *Cedar Falls Record*, October 27, 1932.

Sketch of the life of Samuel Hall, in the *Washington Journal*, October 29, November 12, 26, December 3, 1932.

Prairie fire destructive in Worth County, by Ed Henderson, in the *Lake Mills Graphic*, November 2, 1932.

Early schools and teachers in Wright County, in the *Wright County* (Clarion) *Monitor* and the *Belmond Independent*, November 3, 1932.

History of Congregational Church at Keosauqua, in the *Keosauqua Republican*, November 3, 1932.

Sabula ferry ends ninety years of service, by Bessie B. Moyle, in the *Cedar Rapids Gazette*, November 6, 1932.

J. R. Kays has cast Republican ballot since 1856, in the *Waterloo Courier*, November 7, 1932.

Robert Thomas built cabin in Clinton County in 1837, in the *Clinton Herald*, November 8, 1932.

W. W. Kirk is oldest resident in Worth County, in the *Mason City Globe-Gazette*, November 8, 1932.

John Heery homesteaded in Butler County in 1850, in the *Waterloo Courier*, November 13, 1932.

William Doolittle opposed Charles Curtis in law suit, by Mrs. Frank L. Brown, in the *Sioux City Journal*, November 13, 1932.

Some old O'Brien County history, in the *Sheldon Mail*, November 16, December 7, 1932.



Sketch of the life of George W. Christophel, in the *Waverly Independent-Republican*, November 16, and the *Waverly Journal*, November 17, 1932.

J. M. Dinwiddie is dean of Cedar Rapids bankers, in the *Marengo Republican*, November 17, 1932.

Pioneer history of Story County, in the *Story County* (Story City) *Herald*, November 17, 1932.

Iowa Wesleyan obtains historic kitchen outfit, in the *Mount Pleasant News*, November 18, 1932.

Sketch of the career of Otha D. Wearin, by Wendell Erickson, in the *Des Moines Tribune*, November 18, 1932.

Rev. and Mrs. W. A. Morris celebrate 65th marriage anniversary, in the *Boone News-Republican*, November 22, 1932.

Sketch of the life of Mary B. Mullett, in the *Clinton Herald*, November 22, 1932.

Sketch of the life of George Stone Tracy, journalist, in the *Burlington Hawk-Eye*, November 22, 1932.

School directors had many problems, by Ed Henderson, in the *Lake Mills Graphic*, November 23, 1932.

Sketch of the career of F. D. Mead, editor, in the *Riceville Record*, November 23, and the *Cresco Plain Dealer*, November 25, 1932.

John Osborn, Revolutionary soldier, buried in Linn County, in the *Center Point Independent*, November 24, 1932.

Historic tree in Boone County, by C. L. Lucas, in the *Madrid Register-News*, November 24, 1932.

C. S. Jones finds old Taylor County ballot, in the *Lenox Time Table*, November 24, 1932.

Dr. G. L. Stempel has collection of butterflies and Indian relics, in the *Council Bluffs Nonpareil*, November 24, 1932.

Term "O. K." attributed to Chief Keokuk, by Elmo Scott Watson, in the *Anamosa Eureka*, November 24, 1932.

Jordan's Grove Church is seventy-five years old, in the *Cedar Rapids Gazette*, November 29, 1932.

Winter perils in Delaware County, in the *Manchester Democrat-Radio*, November 29, 1932.

Eli Roberts claims to be first child born in Greene County, in the *Jefferson Bee*, November 29, 1932.

Sketch of the life of T. J. Yerkes, pioneer, in the *Cedar Valley (Vinton) Times*, November 30, 1932.

Sketch of the life of Mrs. Mary Wooldridge, in the *Dubuque Telegraph-Herald*, November 30, 1932.

Charles Duren is pioneer banker of central Iowa, in the *Hardin County (Eldora) Ledger*, December 1, 1932.

W. I. Branagan serves as editor for forty-eight years, in the *Emmetsburg Democrat*, December 1, 1932.

*Keota Eagle* celebrates 57th birthday, in the *Keota Eagle*, December 1, 1932.

Sketch of the life of Mrs. Martha Moore, in the *DeWitt Observer*, December 1, 1932.

Opening of Sabula-Savanna bridge result of years of planning, in the *Sabula Gazette*, December 1, 1932.

Church of God organized in Henry County in 1847, in the *Wayland News*, December 1, 1932.

History of Plymouth Congregational Church, in the *Des Moines Register*, December 4, 1932.

Iowan opposed legislative extravagance in 1846, in the *Burlington Hawk-Eye*, December 4, 1932.

John P. Cruikshank recalls early days at Fort Madison, in the *Fort Madison Democrat*, December 5, 1932.

Sketch of the life of J. D. Edmundson, in the *Glenwood Opinion-Tribune*, December 5, 1932.

Phillip R. Landon blazed Oregon trail, in the *Lamoni Chronicle*, December 8, 1932.

Christmas in Iowa in 1855, by C. L. Lucas, in the *Madrid Register-News*, December 8, 1932.

Snow drifts blocked railroads, in the *Clinton Herald*, December 10, 1932.

Veteran of Custer massacre honored by monument in Burr Oak Cemetery, in the *Waterloo Courier*, December 11, 1932.

Sketch of the life of Hazen I. Sawyer, in the *Keokuk Gate City*, December 13, 14, 1932.

Old times in Adel, in the *Dallas County (Adel) News*, December 14, 1932.

Sketch of the life of Henry Venner, in the *Breda News*, December 14, 1932.

O'Brien County received many foreign immigrants, in the *Paullina Times*, December 15, 1932.

Sketch of the life of Steven Gullickson, by C. A. Hurd, in the *Northwood Anchor and Index*, December 15, 1932.

Survey of business men in Algona, in the *Kossuth County (Algona) Advance*, December 15, 1932.

Beginnings of conservation movement in Iowa, in the *Manson Journal*, December 15, 1932.

Origin of town of Hubbard, in the *Hardin County (Eldora) Ledger*, December 15, 1932.

Indian skeleton found near Marquette, in the *Dubuque Telegraph-Herald*, December 17, and the *North Iowa (McGregor) Times*, December 22, 1932.

Sketch of the life of E. W. Weeks, in the *Des Moines Tribune*, December 19, and the *Guthrie Center Guthrian*, December 22, 1932.



Sketch of the life of J. K. Montgomery, in the *Cedar Rapids Gazette*, December 21, 1932.

Sketch of the career of Homer H. Seerley, in the *Des Moines Tribune*, December 23, 1932.

Mr. and Mrs. C. M. Baxter are Cass County pioneers, in the *Atlantic News-Telegraph*, December 23, 1932.

Sketch of the life of Mrs. Mary Ann Wootten, in the *Burlington Gazette*, December 27, 1932.

Genealogical record of Poweshiek County, by Mrs. F. R. Porter, in the *Grinnell Herald*, December 27, 1932.

Wellston named after W. P. Wells, pioneer, in the *Washington Journal*, December 28, 1932.

Origin of naming of Spirit Lake, by Hattie P. Elston, in the *Spirit Lake Beacon*, December 29, 1932.

Sketch of life of D. W. McCreary, in the *West Bend Journal*, December 29, 1932.

*Denison Bulletin* began in 1873, in the *Denison Bulletin*, December 29, 1932.

Iowans enjoy hospitality of Mr. and Mrs. C. J. Neill, pioneers, in the *North Iowa (McGregor) Times*, December 29, 1932.

C. L. Cutler drove stage coaches in western Iowa, in the *Harrison County (Logan) Herald*, December 29, 1932.

## HISTORICAL ACTIVITIES

Thirty-one water color paintings by Frank B. Mayer have been loaned by Goucher College to the Minnesota Historical Society and were on exhibition at the Historical Building at St. Paul from December 5-9, 1932. The paintings deal chiefly with life among the Sioux Indians in 1851 and were made by Mayer from pencil sketches made during a trip to Traverse des Sioux.

The American Historical Association held its forty-seventh annual meeting at Toronto, Canada, on December 27, 28, and 29, 1932. Meeting at the same time and place were the Mississippi Valley Historical Association, the Agricultural History Society, the American Catholic Historical Association, the National Council for Social Studies, the American Society of Church History, the Conference of Historical Societies, and the Canadian Historical Association.

The Society of Indiana Pioneers, the Indiana Historical Society, the State Historical Bureau, and the History and Social Science Section of the Indiana State Teachers Association held their annual Indiana History Conference at Indianapolis on December 9 and 10, 1932. The program included the following papers and addresses: "Ouiatenon", by Mrs. Charles B. Kern; "Early History of Vincennes University", by Howard R. Burnett; "Marketing of Indiana Produce in Chicago by Wagon", by Joe L. Norris; "Prehistoric American Diet", by Glenn A. Black; "Father Badin Comes to Notre Dame", by Thomas T. McAvoy; "General Grant", by Grace Julian Clarke; "Camp Morton", by J. R. H. Moore; "Indiana and Her High School Teachers of History", by James A. Woodburn; "Newspapers as Sources of Historical Information", by Joseph W. Piercy; "Unity in History", by Christopher B. Coleman; "A Pioneer Pastime of the Middle West", by Theodore G. Gronert; "Captain Leonard Helm", by Bessie Taul Conkwright; "Washington and the West", by Paul L. Haworth; a re-

view of James Truslow Adams's *Epic of America*, by A. D. Beeler; and a report on the work of the Ohio Revolutionary Memorial Commission, by A. D. Hosterman. The following officers were elected by the Indiana Historical Society for 1933: James A. Woodburn, president emeritus; Eli Lilly, president; John G. Rausch, treasurer; and Christopher B. Coleman, secretary.

The eleventh annual summer tour and convention of the Minnesota Historical Society was held from July 14 to 16, 1932. The tour started from St. Paul, holding the first session at Alexandria on Thursday afternoon. Constant Larson delivered an address on "The Historical Backgrounds of Douglas County" and William Goetzinger gave a paper entitled "Travelers on a Red River Trail". At Alexandria the party inspected the famous Kensington rune stone. Dinner at Fergus Falls was followed by an evening session at which Verne E. Chatelain presented a paper on "Homestead Operations in Minnesota in the Sixties". This was followed by a talk on "The Latter Day Saints in Otter Tail County", by Alta Kimber, and an illustrated talk by Theodore C. Blegen on "Collecting Western Minnesota Historical Records". The second day of the tour took the party to Moorehead where the program included "A Retrospect of Pioneer Society", by William A. Marin; and "On the Trail of the Woodsmen in Minnesota", by Agnes Larson. The evening session for July 15th was held at Lake Itasca. The program included a discussion of the name Itasca, by William E. Culkin; a paper on "Schoolcraft's Discovery of Lake Itasca", by Julius A. Schmahl, read by Willoughby M. Babcock; and "Schoolcraft's Companions in 1832", by Grace Lee Nute. On the afternoon of July 16th a pageant commemorating the Schoolcraft centennial. The evening program included a paper on "That Name Itasca — a Review of the Evidence", by Edward C. Gale; and "Frontiers and the American Spirit", by Clyde A. Duniway.

#### IOWA

Many of the old records and books of Van Buren County have been removed from the jail building at Keosauqua to the Historical Department at Des Moines.



The Howard County Historical Society held its regular monthly meeting at Cresco on November 14, 1932. C. J. Harlan was in charge of the program which related to various calamities of the past.

The Webster County Historical Museum has many interesting articles on display in the Fort Dodge Public Library, which are attracting a large number of visitors. It is open to the public on Saturday evenings.

“Archaeological Exploration in Iowa” was the title of a lecture delivered by Dr. Charles R. Keyes of Mt. Vernon, Iowa, before the Baconian Club of the State University of Iowa at Iowa City on December 9, 1932.

On September 24, 1932, Governor Dan W. Turner dedicated a marker at the site of the first house built at Atlantic — in the year 1868. The Atlantic chapter of the Daughters of the American Revolution were in charge of the program.

The annual meeting of the Union County Historical Society took place at McKinley Park in Creston on October 1, 1932. A large number of interesting exhibits were on display. Curator T. G. Hamilton of Creston assisted President U. S. Carey in arranging for the meeting.

“Iowa Anniversary Year”, 1833–1933, will be observed by the Hannah Caldwell Chapter, Daughters of the American Revolution at Davenport, in a series of monthly programs. The first meeting was held on October 6, 1932, with Royal Holbrook of Ames as the speaker. The subject was “Iowa, Its Beginnings”.

The *Cedar Rapids Gazette* for January 1, 1933, is a special edition commemorating the fiftieth anniversary of the founding of the paper. The edition contains a great deal of historical information concerning the past fifty years in Cedar Rapids. The *Gazette* was begun on January 10, 1883, by L. H. Post and E. L. Otis, but the following year the paper was purchased by Clarence L. Miller and Fred W. Faulkes.

## THE STATE HISTORICAL SOCIETY OF IOWA

On December 5, 1932, Dr. Ruth A. Gallaher, Associate Editor of the State Historical Society, gave an address before the History and Literature Department of the Woman's Club at Ames on the subject "Iowa's Part in National Affairs".

The following persons were appointed by Governor Dan W. Turner as members of the Board of Curators of the State Historical Society of Iowa for 1932-1934: Lillian Clark Cary, Berry Halden, Gertrude Henderson, Lafe Hill, Dorothy D. Houghton, Grainger Mitchell, Merta Mitchell, Jennie E. Pritchard, and Ina M. Tilden.

The State Historical Society of Iowa will soon distribute a volume by Mrs. Bertha M. H. Shambaugh, dealing with Amana and its reorganization, under the title *Amana That Was and Amana That Is*. The book is divided into two parts. The first part is a reprint of Mrs. Shambaugh's *Amana: The Community of True Inspiration*, which was published by the Society in 1908. The second part is an interpretation of the changes that have been made by the reorganization which has transformed the communistic society into a joint stock company. It includes the new Articles of Incorporation and By-Laws.

The following persons have recently been elected to membership in the Society: Rev. W. A. Dostal, Fort Atkinson, Iowa; Mr. John Alden Greenlee, Iowa City, Iowa; Miss Ruth Lumbard, Des Moines, Iowa; Mrs. Merrill M. Myers, Des Moines, Iowa; Mrs. Frank W. Tomasek, Williamsburg, Iowa; Miss Hilda Watters, Macomb, Illinois; Mrs. W. M. Alderton, Minneapolis, Minnesota; Mr. Walter A. Blair, Davenport, Iowa; Mr. Marque Maier, Hightstown, New Jersey; Mr. J. Hamilton Bell, Cedar Rapids, Iowa; Mrs. Irene H. Douglas, Cedar Rapids, Iowa; and Mr. Henry C. Priestre, Davenport, Iowa.

## NOTES AND COMMENT

The Baptist Church at Denison celebrated its seventy-fifth anniversary on October 30, 31, 1932.

The West Liberty Presbyterian Church recently celebrated its seventy-fifth anniversary.

The town of Hudson in Black Hawk County commemorated its seventy-fifth anniversary as a community at a homecoming picnic on September 24, 1932. The chief address was delivered by Roger Leavitt of Cedar Falls.

Hubert E. Collins, who contributed *The Story of Mahlon Day Collins* published in THE IOWA JOURNAL OF HISTORY AND POLITICS, January, 1930, died on October 31, 1932, at Utica, New York. He was born at Boonesboro, Iowa, on March 27, 1872.

The AAA Motor Clubs are sponsoring a campaign to increase touring in Iowa in 1933. G. Decker French of Davenport is chairman of the Tour Iowa Committee whose slogan is "Iowa — Beauty Everywhere, Paving Anywhere". Approximately 50,000 maps were distributed during 1932.



## CONTRIBUTORS

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**CHARLES REUBEN KEYES**, Professor in Cornell College, Mt. Vernon, Iowa. (See *THE IOWA JOURNAL OF HISTORY AND POLITICS* for July, 1925, p. 504.)

**WILLIAM J. PETERSEN**, Research Associate of The State Historical Society of Iowa. (See *THE IOWA JOURNAL OF HISTORY AND POLITICS*, January, 1930, p. 173.)

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**VOL. XXXI**



## STATE ADMINISTRATION OF PUBLIC HEALTH IN IOWA

The promulgation and administration of laws and regulations concerning public health were, in the early history of Iowa, considered a local function. Indeed, medical science and sanitation were so little developed that not much could be done by any governmental agency. Fortunately disease was the exception on the Iowa frontier, except for epidemics of cholera. Pioneering tended always to leave behind the sick and the physically unfit.

The first attempt to develop a State organization for the advancement of health in Iowa was made in 1850, when the Iowa State Medical Society, a private agency which was destined to have a noteworthy influence on the future development of public health within the State, was created.<sup>1</sup>

The next year, 1851, marks the first legislation in the interest of public health. A law enacted that year provided that any person who inoculated himself or another person or permitted himself to be inoculated with smallpox or who intentionally brought such disease into the State might be imprisoned for three years, or be fined \$100 and imprisoned in the county jail for one year. An attempt was also made to prevent the adulteration of foods. Persons offering adulterated foods for sale were subject to imprisonment for one year in the county jail. Legislative provision was also made for the control of the purity of drugs and medicines.<sup>2</sup>

<sup>1</sup> Fairchild's *Medicine in Iowa from its Early Settlement to 1876*, pp. 82, 103.

<sup>2</sup> *Code of 1851*, Secs. 2725, 2727, 2729.



The first official organization for the purpose of safeguarding health appears to have been provided for in 1858 when city councils were authorized to appoint boards of health. These boards were supposed to have authority to remove nuisances, filth, and unhygienic accumulations on private property, as a means of suppressing contagious and infectious diseases.<sup>3</sup>

The legal provisions for safeguarding health throughout the State were augmented in 1870. Changes in the law extended the list of foods and other commodities which were protected against adulteration. These commodities included meat, butter, and milk. The proper labeling of drugs and poisons was also required. The law sought not only to restrict the sale of adulterated foods, but also to prohibit the sale of "corrupt or unwholesome provisions". It was so worded, however, that difficulty was experienced in its administration.<sup>4</sup>

It will be noted that the administration of health up to this time was largely legislative; the legislature enacted laws providing in detail for certain types of regulations, the actual execution was by the local peace officers.

This system was not satisfactory. The field of regulation was very limited, and the system covered only a fraction of the need. The method was obviously rigid. The legislature attempted to provide detailed provisions for the regulation of health, a matter about which it knew very little. Moreover, the local areas were not provided with agencies to care for those matters that were not sufficiently guarded by the legislature. As a result, health administration, like all forms of public administration at this period, was poorly organized and ineffective.

<sup>3</sup> *Revision of 1860*, Secs. 1057, 1064, 1070.

<sup>4</sup> *Code of 1873*, Secs. 4035-4042; *Medical and Surgical Directory of Iowa*, 1878-1879, pp. 72, 73; *Laws of Iowa*, 1870, Ch. 156.

The Secretary of the State Board of Health in his report of 1887 tells of the feeble administration of health in this early period: "A few years ago, before the passage of the present State Board of Health law, a man entered the office of the Secretary of this Board, (who was then practicing medicine in this city.) He detailed a train of symptoms, and presented such physical signs as led the physician to inform him that he had smallpox. . . . He was locked in the office, and the Mayor of the city notified. The reply of the Mayor was: 'Why the thunder didn't you let him go! What can we do with him?'"<sup>5</sup>

In commenting on this situation, the President of the Iowa State Medical Society, in addressing its members in convention, said: "with every encouragement which a dependent and enlightened people, and an influential medical body can offer, we entreat you to individual effort in behalf of the establishment of a Board of State Medicine. . . . To say that you will passively submit to the stigma which an excusable apathy has entailed, is too derogatory to the character of your profession, too humbling to your pride as public spirited citizens of a growing commonwealth."<sup>6</sup>

Following this exhortation, a committee of the Iowa State Medical Society was selected to study the proposition of establishing a State Board of Health. The committee made a study of health agencies and health laws in other States, and arranged for conferences with health officers in States that had established State Boards of Health. As a result of its investigation, the committee recommended that the Iowa State Medical Society endorse the "Draft of a Health Law and Medical Practice Act". After favorable action upon the resolution by the Medical Society, information was sent to other organizations with-

<sup>5</sup> *Biennial Report of the Iowa State Board of Health, 1885-1887*, pp. 3, 4.

<sup>6</sup> Fairchild's *Medicine in Iowa from its Early Settlement to 1876*, p. 113.



in the State as to the purport of the proposed law. A program of general education was carried on and favorable legislation resulted.<sup>7</sup> With this law there began a twenty-year period of State advisory health work.

THE PERIOD OF ADVISORY HEALTH ADMINISTRATION BY THE  
STATE BOARD 1880-1902

The law providing for the creation of a State Board of Health was approved by the Governor on March 26, 1880. With the establishment of the Board a period of advisory health administration was inaugurated, and continued until 1902. Under the original law the Board was to consist of one civil engineer and seven physicians, to be appointed by the Governor with the approval of the Executive Council, and the Attorney General as an ex officio member. The term of office was seven years. The Board of Health was authorized by law to select a President and a Secretary. The President was to be selected from the membership of the Board, but the Secretary was not a member. The members of the Board received no compensation beyond actual expenses. The Secretary received for his services a salary not to exceed \$1200 per year. Meetings of the Board were to be held in May and November of each year and at such other times as the Board deemed necessary.

The State Board of Health had general supervision over public health, with special reference to such matters as quarantine, and over the registration of marriages, births, and deaths; and was authorized to conduct sanitary investigations with authority to make such rules as were necessary. The Board was required to make a biennial report to the Governor, including information on such subjects as

<sup>7</sup> Fairchild's *Medicine in Iowa from its Early Settlement to 1876*, pp. 113-115.



vital statistics, disease, hygiene, and legislative recommendations.<sup>8</sup>

Local boards of health were also established by law. These local boards were made up of the township trustees and the town and city councils acting *ex officio*. The duties of the local health authorities included the making of regulations with respect to "nuisances, causes of filth, causes of sickness, rabid animals and quarantine". They were to report annually to the State Board of Health concerning their work.<sup>9</sup>

In pursuance of the law, the Governor appointed the seven physicians and the sanitary engineer on April 23, 1880. These members, with the Attorney General, met at the State Capitol for the purpose of organizing the first State Board of Health. After the selection of the President and Secretary, agreement was reached that certain standing committees should be established. Each member of the board was placed in charge of a committee. The committees designated included: foods, drinks, and water supply; rest; ventilation; education — relation of school to health — kind and methods of instruction in use, and methods to be proposed; sewerage, drainage, and disposal of excreta; influence of slaughter-houses, rendering-houses, etc., on public health; endemics, epidemics, and contagious diseases; and legislation relating to the State Board of Health.<sup>10</sup>

The procedure of the State Board of Health during the early years of its existence was simple. The State was divided into nine divisions. Each division was a unit for

<sup>8</sup> *Laws of Iowa*, 1880, Ch. 151. In this study, public health work has been considered as including vital statistics, preventive work, and curative agencies, but no attempt has been made to discuss these separately.

<sup>9</sup> *Laws of Iowa*, 1880, Ch. 151.

<sup>10</sup> *Biennial Report of the Iowa State Board of Health*, 1880-1881, p. 17; Fairchild's *Medicine in Iowa from its Early Settlement to 1876*, p. 117.

comparative purposes and it also constituted a unit for study. The Board, through its proper committees, arranged a very elaborate questionnaire, which was sent to every physician in the State. These questionnaires were devised to collect information on such subjects as the prevalence of disease, the probable causes of the spread of contagion in the community, and the number and causes of deaths.<sup>11</sup>

Two major problems have faced the State Board of Health from the very beginning—the collection of vital statistics and the control of epidemics. The first President of the Iowa Board of Health said, in commenting on subjects to be investigated: “I suggest the subject of ‘Vital Statistics’ receive early attention. . . . The medical profession throughout the State will be so ready to co-operate in this work that it will be only necessary for the Secretary of the Board to invite them to furnish any information in their possession—direct or indirect—regarding the diseases of their several localities, as to insure hearty and intelligent responses, since such information will form a stock—so to speak—which will be utilized for the prevention of disease and the reduction of the mortality lists.”<sup>12</sup>

The members of the Board of Health, profiting from the experiences in the cholera epidemic of 1848, and the more recent scourge of smallpox in 1876, realized the need for the control of contagious disease. As a result, the control of traffic involving diseased persons, the isolation of diseased persons, and the proper preparation of dead bodies for shipment were early recognized as problems for State supervision.

The early experiences of the Board showed that it had

<sup>11</sup> *Biennial Report of the Iowa State Board of Health, 1880-1881*, pp. 75-79.

<sup>12</sup> *Biennial Report of the Iowa State Board of Health, 1880-1881*, pp. 3, 4.



very little effective control over the matters within its province. It had no mandatory control over local boards, and could not use coercion to accomplish its purpose. This is clearly revealed in a letter written by the Secretary of the Board to a person desiring the intervention of State health officers in a local area. The Secretary said: "The State Board of Health publishes rules and regulations for the instruction of local boards, according to law. It rests, however, with the various communities, such as townships, towns, and cities, to enforce these regulations. If they neglect or refuse to do so, they must suffer the consequences . . . and the State Board cannot interfere, as its function is purely an advisory one."<sup>13</sup>

Although the State Board could promulgate rules to prevent the spread of disease, the enforcement of these rules depended upon the local authorities. Forms to be used in reporting marriages, births, and deaths were also devised but were not uniformly used. Contrary to the prophecy of the first President of the State Board, the Secretary pointed out the reluctance with which physicians coöperated in the actual execution of the health laws. "It is to be regretted", the Secretary reports, "that many physicians throughout the state habitually, and some even obstinately, refuse . . . to report births and deaths. . . . Instead of cheerful compliance with the law, we have, in one county the Physicians of the County Medical Society, by deliberate resolution declaring they will ignore the law while in no county perhaps is there a faithful report made to the clerk."<sup>14</sup>

According to the original health law of 1880 the physicians and midwives in the State were required to report births to the clerk of the district court, and the clerk was

<sup>13</sup> *Biennial Report of the Iowa State Board of Health, 1881-1883*, p. 10.

<sup>14</sup> *Biennial Report of the Iowa State Board of Health, 1885-1887*, p. 15.



required to report to the State Board of Health. The act was the subject of litigation, but was sustained by the courts. It appears that the physicians were not in sympathy with the provision on vital statistics, because no compensation was provided for those reporting, and many physicians refused or neglected to make the required reports.<sup>15</sup>

The general failure of the system of collecting vital statistics under this law resulted in a revision of the law in 1894. This act required that such data should be collected by assessors, appointed by the county auditor, upon blanks furnished by the State Board of Health. The new law proved to be of little value. The assessors were not qualified to make a satisfactory collection of vital statistics; and the county auditors in convention during 1901 declared that the law was ineffective and recommended a return to the former system.<sup>16</sup>

The Secretary suggested that the original law might have worked satisfactorily had compensation been provided for reporting births and deaths, or if authority had been conferred upon the Medical Examiners to revoke the certificates of the physicians failing to furnish the prescribed data.<sup>17</sup>

As early as 1883 the reports of the State Board of Health to the Governor contained recommendations that the authority of the Board be strengthened. "Practical experience has demonstrated the necessity for executive powers and authority, vested in the State Board of Health. Contingencies constantly arise, where local influences prevent the operation of the health law. Authority should rest

<sup>15</sup> *Report of the Iowa State Board of Health, 1903-1906*, p. 29; *Robinson v. Hamilton*, 60 Iowa 134. Because of a delay in printing, this report of the Board of Health covers three years.

<sup>16</sup> *Biennial Report of the Iowa State Board of Health, 1901-1903*, pp. 83-87.

<sup>17</sup> *Report of the Iowa State Board of Health, 1903-1906*, pp. 23-29.

somewhere to secure to the communities the benefit of the statute, and no where could this be lodged, with a view to impartial judgment more safely than with the State Board of Health." This advice was reiterated in 1885, but apparently no attempt to confer more authority upon the State Board was successful until 1902.<sup>18</sup>

In the meantime, the Board emphasized education as a means of improving the conditions of health throughout the State. Correspondence was carried on with boards of health in other States to determine methods of preventing disease. The members made investigations and collected literature upon certain diseases, and this information was made available to physicians and the general public. To further this process of education, the Iowa Public Health Association was organized as another means of bringing information before the physicians of the State and also to integrate the activities of the State Board.<sup>19</sup>

The office of State Veterinary Surgeon was created in 1884 and the Veterinary Surgeon was made a member of the State Board of Health. This addition was made at the request of the State Board, whose members were constantly faced with the problem of contagion in animals and its effect on the health of the general public.<sup>20</sup> The Veterinary Surgeon was to be appointed by the Governor and must be a graduate of a recognized veterinary college. He

<sup>18</sup> *Biennial Report of the Iowa State Board of Health, 1881-1883*, p. 2, 1883-1885, pp. 9, 10.

<sup>19</sup> *Biennial Report of the Iowa State Board of Health, 1891-1893*, p. 2. "As an adjunct to the State Board of Health, there has been organized the Iowa Public Health Association. Its work, while scientific and along the line of sanitary and hygienic methods, is purely philanthropic. . . . Conjointly the State Board of Health and this association have arranged to hold in various parts of the State sanitary conventions, at which the best means of not only preventing sickness, but of promoting the highest type of health will be discussed in a practical manner."

<sup>20</sup> *Biennial Report of the Iowa State Board of Health, 1883-1885*, p. 194; *Laws of Iowa, 1884*, Ch. 189.



had general supervision over contagious and infectious diseases among animals and with the concurrence of the State Board of Health might make the necessary regulations for the suppression of such diseases. If the Executive Council concurred with the Board of Health, the Veterinary Surgeon could call for the assistance of any police officer in the execution of the regulations for the suppression of disease among animals.<sup>21</sup>

The State Veterinary Surgeon was an influential officer. He conducted experiments with animals to determine the transmittable character of certain diseases. His work was more demonstrable than that of other members of the State Board of Health, and much confidence was placed in him. It is little wonder, then, that the Veterinary Surgeon was once President of the Iowa State Board of Health.<sup>22</sup>

During this period of advisory administration (1880-1902) the expenditure of the State for public health was relatively small. The Board was allotted \$5000 per year to carry on its activities. Every biennial report of the Board contained a plea for a larger appropriation.<sup>23</sup>

During the period of advisory health administration extending from 1880-1902 auxiliary agencies were provided to look after certain functions. In many cases, these agencies performed health services, but had no direct relation to the State Board of Health. In some instances administrative agencies designed to carry on other functions were actually placed in charge of health administration.

*State Board of Medical Examiners.*—A State Board of Medical Examiners was provided in 1886, made up of the

<sup>21</sup> *Code of 1897*, Secs. 2529-2538.

<sup>22</sup> *Iowa Official Register*, 1898, p. 16; *Biennial Report of the Iowa State Board of Health*, 1895-1897, p. 1.

<sup>23</sup> *Biennial Report of the Iowa State Board of Health*, 1893-1895, p. 371, 1903-1906, p. 20.



physicians on the State Board of Health and its Secretary. The members of the Board of Medical Examiners were authorized to elect a President and a Secretary. Later the Secretary of the Board of Health ceased to be a member of the Board of Examiners, but served as Secretary of the Examiners by virtue of his being the Secretary of the State Board of Health.

The law creating the Board of Medical Examiners required that every physician in the State should be certified by the examiners. Certificates were to be issued to three different groups: (1) to those holding diplomas from medical colleges in good standing; (2) to those who had practiced medicine in the State for five years prior to the passage of the act providing for the examination; and (3) to those who passed a satisfactory examination before the Board of Medical Examiners.

A fee was required of all persons certified. The charge was greater for those who took the examination than for those who received a permit on the basis of a college diploma or through a provision of reciprocity with the other States. Itinerant physicians were charged a much higher fee than those who had a residential practice.

The money received for certification was paid into the State Treasury and this fund was used to sustain the Board of Medical Examiners — to defray such expenses as the cost of examination, postage, printing, and stationery. The Board of Medical Examiners was self-sustaining financially, and frequently left a comfortable balance in the Treasury.<sup>24</sup>

*Mine Inspection.* — The Mine Inspector was an administrative agent. While he was charged primarily with

<sup>24</sup> *Laws of Iowa*, 1886, Ch. 104; *Code of 1897*, Secs. 2576–2578; *Iowa Official Register*, 1887, p. 31; *Biennial Report of the Iowa State Board of Health*, 1899–1901, p. 68.

responsibility for the safety of the miners, and needed the qualifications of an engineer, he was required to make examinations directly affecting the health of the miners. One of the difficult problems confronting the Inspector was the matter of proper ventilation to insure protection of the miners from noxious gases.

The first Mine Inspector began his work on July 27, 1880. The law provided for the inspection of coal mines in which more than fifteen men were employed. The original law made provision for only one Inspector, who was appointed by the Governor for a two-year term with the confirmation of the Senate. The qualifications of the Inspector included the theoretical and practical knowledge of different mine ventilating systems and the properties of noxious gases. His entire time was to be devoted to mine inspection, and he received a salary of \$1500 per year. The law required the Inspector to make a report to the Governor on the first of January each year.

In 1897 three inspectors were provided and the method of selection was changed.<sup>25</sup> For administrative purposes, the State was divided into three districts, and an Inspector was assigned to each area. This Inspector was supposed to examine all mines within his district as often as time would permit. Each Inspector was required to investigate alleged cases of violation of the law with respect to the use of illuminating oil in the mines. The State Board of Health was given the responsibility of prescribing an oil to be used in mines. This appears to be the only relation the State Board of Health had to mine inspection.<sup>26</sup>

*The Pharmacy Commission.*—The Pharmacy Commission was another auxiliary agency participating in the ad-

<sup>25</sup> *Report of the State Mine Inspector*, 1881, p. 1, in the *Iowa Documents*, 1882, Vol. V; *Code of 1897*, Secs. 2478, 2479, 2481, 2483, 2484.

<sup>26</sup> *Code of 1897*, Secs. 2482, 2493.



ministration of public health. The Commission was created by a legislative enactment in 1880 and consisted of three members selected for a period of five years by the Governor, with the approval of the Executive Council.

This Commission was to examine candidates to be licensed as pharmacists and keep a record of all registered pharmacists within the State. It was unlawful for other than registered pharmacists to sell or compound drugs. Originally, it was thought that the Commission should make investigations in regard to the illicit sale of certain drugs. Subsequent experience has, however, demonstrated that the Commission should not make investigations, although if information is brought to the Commission, it may prosecute the offender.<sup>27</sup>

The Commission was required to select a Secretary-Treasurer on the first Monday in May. The Secretary, who was not a member of the Commission, received a salary not to exceed \$1500 per annum, and was required to furnish a bond of \$8000.

Each person was charged five dollars for a certificate granted after taking an examination; two dollars was the fee in those cases in which a certificate could be issued without an examination. One dollar was charged for a renewal. The fee for licensing itinerants was one hundred dollars.<sup>28</sup>

The Pharmacy Commission was required to turn over to the Treasurer of the State all funds in excess of \$2000. In other words, \$2000 of the funds collected could be used to defray the expenses of the Commission. The only expense that might devolve upon the State was the cost of the necessary blanks and stationery, which were to be furnished

<sup>27</sup> *Laws of Iowa*, 1880, Ch. 75; *Biennial Report of the Commissioners of Pharmacy*, 1880-1881, pp. 6-17.

<sup>28</sup> *Biennial Report of the Commissioners of Pharmacy*, 1900-1901, p. 25, in *Iowa Documents*, 1902, Vol. V.



by the Secretary of State. It appears that funds were never ample to carry on prosecution or investigations.<sup>29</sup>

The Commission was empowered to make the needed rules for executing the law, and could revoke certificates of pharmacists for cause.<sup>30</sup> The State was divided into three districts, and a member of the Commission was placed in charge of each district. Complaints of violation of the pharmacy law were to be made to the resident Commissioner.

*Iowa Board of Dental Examiners.*—Another auxiliary health agency, the Iowa Board of Dental Examiners, was provided in 1882. This Board was made up of five practicing dentists, who had actually been engaged in dentistry within the State for five years or more. The members were appointed by the Governor. The law provided, however, that the Governor might request the Iowa State Dental Association to provide him with a list of dentists of recognized ability, from which list the Governor might make his appointments.

According to the terms of the law every practicing dentist within the State had to be registered. For any who had not been registered and wished to practice in Iowa, the Board held examinations covering both theory and practice. A system of reciprocity was arranged, so that dentists in good standing in other States need not take the examination in order to be registered on coming to this State. Each member of the Iowa Board of Dental Examiners received five dollars for each day of actual service, but no part of the salaries or other expenses of the Board was to be paid out of the State Treasury. A fee of two

<sup>29</sup> *Biennial Report of the Commissioners of Pharmacy, 1900-1901*, pp. 5-14, in *Iowa Documents, 1902*, Vol. V.

<sup>30</sup> *Laws of Iowa, 1880*, Ch. 35, Sec. 13; *Biennial Report of the Commissioners of Pharmacy, 1885-1887*, p. 13.

dollars charged for registration was to constitute the source of revenue and any surplus had to be held by the Secretary of Dental Examiners as a special fund.<sup>31</sup>

In addition to the work of examining and registering dentists, the Board also collected literature on dentistry. Some of the literature appeared in the annual report to the Governor. The Dental Examiners were very closely associated with the Iowa Dental Association.

*Iowa Dairy Commission.*—The Iowa Dairy Commission was created in 1886. A Commissioner was appointed for a term of two years by the Governor, with the confirmation of the Executive Council. The Commissioner's qualifications prescribed by law included a practical knowledge of dairying and experience in the manufacture of dairy products.<sup>32</sup>

The functions of the Dairy Commission were supervisory and educational. The Commissioner was required to examine creameries, cheese factories, and stores in which dairy products were sold, the purpose being to detect the presence of adulterations.

In his report of 1902, the Commissioner mentions a number of prosecutions that resulted from his inspection, including the following convictions: an hotel keeper for selling colored oleomargarine to guests; a milk dealer for selling milk adulterated with water; and a dealer who sold cream that did not contain the required amount of butter fat.<sup>33</sup>

Much of the work was done by means of reports. The various creameries and cheese factories were required to report to the Commissioner setting forth the condition of the place where the dairy products were manufactured.

<sup>31</sup> *Report of the Iowa State Board of Dental Examiners*, 1885, pp. 5, 10-17, in *Iowa Documents*, 1886, Vol. III.

<sup>32</sup> *Laws of Iowa*, 1886, Ch. 52.

<sup>33</sup> *Report of the State Dairy Commissioner*, 1901, pp. 7, 8.



On the educational side, the Commissioner collected data pertaining to better methods in the manufacture of cheese and butter, and frequently went directly to creameries to advise the butter makers with respect to ventilating and cooling systems.<sup>34</sup> He also attempted to show the character of dairying in Iowa as a commercial enterprise. This he did by tabulating the number of pounds of butter and cheese manufactured in each county. The number of cows of approved dairy strain was also featured to denote the progress of the enterprise commercially.

In 1899 the Commissioner was given the authority to appoint one assistant and one deputy to perform such duties as he might assign.<sup>35</sup>

*The Department of Agriculture.*—The Department of Agriculture was created in 1900, and was designed to embrace the local agriculture societies organized to receive aid from the State. The State Weather Service, the Dairy Commissioner, and the State Veterinary Surgeon were included as integral parts of the Department.

The activities of the Department were managed by an ex officio board consisting of the President of the Iowa State College, the State Dairy Commissioner, and the State Veterinary Surgeon. In addition to these, the president, vice president, secretary-treasurer, and a director from each of the local agricultural districts served on the Board of Agriculture.

It will be remembered that the Veterinary Surgeon was formerly a member of the State Board of Health. It will also be recalled that the Dairy Commissioner examined the dairy products, and the places wherein the products were manufactured and sold. Naturally, when the Department

<sup>34</sup> *Report of the State Dairy Commissioner*, 1901, pp. 8–11.

<sup>35</sup> *Report of the State Dairy Commissioner*, 1900, p. 15.



of Agriculture was established these officers were placed in it. The Dairy Commissioner and the Veterinary Surgeon were required to perform certain functions pertaining to public health, because they had always been performed by those officers. The Veterinary Surgeon continued, however, as a member of the State Board of Health until 1913.<sup>36</sup>

#### CENTRALIZATION OF PUBLIC HEALTH ADMINISTRATION 1902-1924

Centralization in health administration in Iowa started in 1902, when authority over local areas was conferred upon the State Board of Health. The law extending this authority provides: "if any local board of health shall refuse or neglect to enforce the rules and regulations of the State Board of Health, the State Board of Health may enforce its rules and regulations within the territorial jurisdiction of such local board, and for that purpose shall have and may exercise all of the powers given by statute to local boards of health; and the peace and police officers of the state, when called upon by the State Board of Health to enforce its rules and regulations, shall execute the orders of such boards." The expense of enforcement in local areas by the State Board was to be paid as though the law had been executed by the officials of the local jurisdiction.<sup>37</sup>

This law marks the first time the State Board of Health was given real authority over local boards. A number of investigations were made, but the administration of health was not as satisfactory as the Board had hoped, owing to the fact that appropriations and personnel were not increased sufficiently to carry on the additional work.<sup>38</sup>

The next extension of authority to the Board of Health

<sup>36</sup> *Laws of Iowa*, 1900, Ch. 58, 1913, Ch. 207; *Biennial Report of the State Board of Health*, 1912-1914, p. 7.

<sup>37</sup> *Laws of Iowa*, 1902, Ch. 107.

<sup>38</sup> *Report of the Iowa State Board of Health*, 1903-1906, p. 20.

was in the field of vital statistics. Until 1904 the law concerning vital statistics had been so poorly administered that the statistics collected were of little value. In an attempt to improve this situation, the General Assembly in 1904 passed a law modifying the administrative machinery previously designed to collect vital statistics. The Board was given authority to make such rules and regulations as were necessary to carry out the act. Local health officers of cities and clerks of townships became local registrars. Each local registrar was supposed to appoint a deputy who must be approved by the State Board of Health. This deputy was to act during the illness of the regular officer. The State Board of Health was permitted to appoint as sub-registrars the clerks of all "incorporated villages" and not more than three persons from each township. These sub-registrars were required to issue birth certificates and burial permits and transmit them to the township registrar. Sub-registrars were required to file with the township registrar a monthly report of births and deaths. The township registrar was expected to report to the State Board of Health on a specified date.

The Secretary of State was to distribute the blanks to the registrars and sub-registrars and give the instruction for the execution of the law. He also made an annual report to the county boards of supervisors, indicating the number of certificates of births and deaths received from each local registrar. For every certificate properly filed each local registrar received a fee, which was paid from county funds.<sup>39</sup>

This law proved to be little better than previous laws pertaining to vital statistics. The line of authority between the State Board of Health and the Secretary of

<sup>39</sup> *Laws of Iowa*, 1904, Ch. 100; *Report of the Iowa State Board of Health*, 1903-1906, pp. 24-27.



State was not clearly defined. Furthermore, there was some difficulty in reporting deaths, some physicians leaving it to the undertakers and *vice versa*. As a result, the law was a failure so far as securing accurate data was concerned.<sup>40</sup>

The years following were replete with changes in the methods of collecting vital statistics, a satisfactory method not being secured until 1921.

For a number of years the report of the State Board of Health contained articles setting forth the value that would accrue from a laboratory under the direction of the Board. Laboratory work had been done, as the occasion arose, by faculty members in Iowa colleges. In 1904, the legislature remedied this situation by making definite provision for a laboratory under the direction of the State Board of Health.

The Bacteriological Laboratory of the Medical Department of the State University was designated as the agency to make investigations upon the request of the State Board of Health and the Professor of Bacteriology of the Medical Department of the State University became the Director of the Laboratory. The legislature also appropriated \$1000 for additional necessary apparatus, and \$5000 for such assistants as might be necessary to carry on the work the State Board of Health might require.<sup>41</sup>

Shortly after the approval of this law the State Board of Health established culture stations in cities and towns throughout Iowa, where typhoid, diphtheria, and tuberculosis outfits for taking cultures and mailing them to the Laboratory were available to every physician, who complied with the rules of the State Board. No investigations

<sup>40</sup> *Report of the Iowa State Board of Health, 1903-1906*, pp. 26, 27.

<sup>41</sup> *Laws of Iowa, 1906*, Ch. 101; *Report of the Iowa State Board of Health, 1903-1906*, pp. 129, 130.



were made by the Laboratory unless the physicians used the special sterilized containers furnished for sending the samples.<sup>42</sup>

The Laboratory was in a position to analyze reputed polluted water and milk as well as to make other hygienic investigations. Every report of the Director of the Bacteriological Laboratory is full of records of bacteriological investigations made from cultures sent to the Laboratory by physicians in the State. Many cases of rabies also have been investigated in the Laboratory.

In 1915 the General Assembly made provision for the care and treatment of indigent children. The law provided that upon a court order children whose parents were unable to provide the proper medical or surgical treatment could, in remediable cases, be sent to the State Hospital at Iowa City, and there at State expense receive such treatment as was deemed necessary to effect a cure.<sup>43</sup> This policy seems to have evoked popular approval, for in 1924 the law was extended to adults and all persons who were unable to provide the necessary medical or surgical attention could, upon court order, be sent to the State Hospital in Iowa City. After the necessary examinations were made, if the case was found to be one that could be remedied, the necessary treatment was to be furnished. This law augmented the health functions to be performed under the general control of the State Board of Education.<sup>44</sup>

The activity of the State Board of Health was extended in 1919 to include venereal disease control. The establishment of a venereal control unit as part of the Board of Health was largely the result of the war time activity of the Federal government under the Chamberlain-Kahn Act.

<sup>42</sup> *Report of the Iowa State Board of Health, 1903-1906*, pp. 133-155.

<sup>43</sup> *Laws of Iowa, 1915*, Ch. 24.

<sup>44</sup> *Code of 1924*, Secs. 4005-4030.

At the conclusion of hostilities, the Venereal Control Service was continued as a peace time measure. In 1919, the Iowa General Assembly enacted the law making venereal control a service of the State Board of Health, and appropriated \$15,000 to carry on the service. An equal amount was provided for the State during the next year by the Federal government.<sup>45</sup>

The staff of workers in charge of venereal control was selected by the State Board of Health with the approval of the Executive Council. The bureau staff included a director, a lecturer for women and girls, and a secretary and record clerk. In addition to this work of general administration, a laboratory was maintained at Iowa City. The laboratory staff included a serologist, an assistant serologist, a stenographer, and a technician.<sup>46</sup>

Furthermore, clinics were provided in the principal cities of the State where there was a demand for treatment of venereals. These venereal clinics were sponsored by the local communities, but the State Board of Health provided certain medicinal materials for treatment. A venereal laboratory, as an adjunct to the Bacteriological Laboratory at Iowa City, coöperated with physicians of the State in determining the existence of venereals. In like manner, the laboratory was used to prove a cure had been effected. In addition, the University Hospital treated cases that were presented.<sup>47</sup>

After the termination of the war the assistance from the Federal government for venereal disease control was lessened. As a result, some of the activities of the State Board of Health had to be curtailed, but medicines to treat the

<sup>45</sup> *Laws of Iowa*, 1919, Ch. 299; *Biennial Report of the Iowa State Board of Health*, 1918-1920, p. 31.

<sup>46</sup> *Biennial Report of the Iowa State Board of Health*, 1918-1920, p. 31.

<sup>47</sup> *Biennial Report of the Iowa State Board of Health*, 1918-1920, pp. 32, 33.



more serious cases were furnished to clinics and physicians. The Venereal Control Service was deemed so important by the Board that the major activities were continued even though the State had to rely upon its own resources for the funds.<sup>48</sup>

The collecting of vital statistics was made definite and reliable by an act passed by the General Assembly in 1921. This law makes provision for local registration districts. In each local district a local registrar is appointed by the county board of supervisors with the approval of the Secretary of the State Board of Health, who is the State Registrar. Local registrars originally reported births and deaths to the clerk of the district court; the latter reported this data to the Secretary of the Board of Health. With the establishment of the Department of Health in 1924, the local registrars were required to report directly to the Commissioner, who is the State Registrar. Marriages and divorces have been reported to the State Board of Health by the clerk of the court since 1886.<sup>49</sup>

In 1924 the General Assembly extended the health functions under the general control of the State Board of Education by accepting the provisions of the Sheppard-Towner Act, adopted by Congress to promote "the welfare and hygiene of maternity and infancy". Grants-in-aid were available to States matching the amount furnished by Congress for the purpose specified. In accepting Federal aid, the Iowa legislature charged the State Board of Education with the duty and responsibility of coöperating with the Children's Bureau of the United States Department of Labor in the administration of the act, and it was given all power necessary to such coöperation. The Extension Divi-

<sup>48</sup> *Biennial Report of the Iowa State Board of Health, 1922-1924*, p. 7, 1924-1926, p. 9.

<sup>49</sup> *Laws of Iowa, 1921*, Ch. 222; *Code of 1924*, Secs. 2393, 2394; *Report of the Iowa State Board of Health, 1903-1906*, p. 23.



sion of the University of Iowa was selected by the Board of Education to carry out the provisions of the act. Congress discontinued the appropriation for this service in 1929.<sup>50</sup>

#### INTEGRATION OF PUBLIC HEALTH AGENCIES

While centralization of health administration started in 1902, little attempt was made at that time to group the various administrative bodies according to service rendered. Integration started in 1909 and has been in progress since, although Iowa is far from having an integrated system for the administration of public health. Integration is usually introduced to provide a division of labor and supervision of services; but at the same time, it should prevent dissimilar services from being administered by a given administrative body.

Prior to 1898 educational and charitable institutions of Iowa were managed separately by boards of regents. As early as 1891 the Secretary of the State Board of Health recommended that a member of the State Board of Health be given a place on the Board of Regents of the respective institutions to insure that healthful conditions would be maintained,<sup>51</sup> but the legislature did not follow the recommendations in toto. In 1898 a State Board of Control was created. This Board was the supervisory agency for the penal and charitable institutions within the State.

The Board of Control was to consist of three persons selected by the Governor with the approval of the Senate. Each member was originally given a salary of \$3000 a year, and was required to devote his entire time to the execution of the functions that devolved upon his office. Provision was also made for a secretary.

<sup>50</sup> *Code of 1924*, Sec. 4001; *Iowa Public Health Bulletin*, 1928, Vol. XLII, No. 1, p. 6; MacDonald's *Federal Aid*, p. 226.

<sup>51</sup> *Biennial Report of the Iowa State Board of Health*, 1889-1891, pp. 2, 3.

The act required the Board of Control, in addition to its purely administrative functions, to collect information in regard to the best methods of treating defectives and delinquents. This information was to be published in bulletin form. The Board of Control was also required to make periodic visits to the hospitals for the insane. Contracts for proposed improvements at State institutions subject to its management were to be examined by the Board before being awarded.<sup>52</sup>

The organization of the State Board of Health remained the same until 1913, although the method of appointment was slightly changed in 1900, when the State was divided into eight districts. As the term of each physician on the Board expired, a representative for a district was to be appointed until seven had been named. Subsequent appointments to the Board were made by selecting a physician from the district not represented the preceding year. This system was designed to keep all sections of the State in touch with the work of the State Board of Health.<sup>53</sup>

Because of the greater degree of authority given the Board in 1913, a change was also made in the membership and in the method of selecting the Board members. The appointed members of the State Board of Health were thereafter to be selected by a special board of appointments, consisting of the Governor, the Secretary of State, and the Auditor of State. This change was intended to eliminate partisan influence in the appointment. Definite qualifications were also provided for the Secretary, who had to be a legally qualified physician with ten years medical experience.

The members of the Executive Council became ex officio members of the Board of Health. The five appointive mem-

<sup>52</sup> *Laws of Iowa*, 1898, Ch. 118; *Iowa Official Register*, 1929-1930, p. 169.

<sup>53</sup> *Laws of Iowa*, 1900, Ch. 88.



bers were to include a civil and sanitary engineer and four reputable physicians. The salary of the sanitary engineer was to be fixed by the board of appointments but was not to exceed \$2500. The term of all the members, including the Secretary, was five years.<sup>54</sup>

In 1913, too, a unique change was effected in the organization. The Secretary was made the executive officer of the State Board of Health and of the associated agencies over which the State Board had control. When the Board was not in session, the Secretary became the Commissioner of Public Health. As a result of the integrating legislation passed in 1913, the State Board of Health was organized to include nine divisions: sanitary engineering; hotel inspection; embalmers; nurses; anti-toxin; bacteriological laboratory; medical examiners; vital statistics; and optometry examiners.<sup>55</sup>

The jurisdiction of the State Board of Health was extended over the nine activities. In some cases, control was secured by placing members of the State Board of Health on the staff of the respective divisions. This was done in case of the medical examiners, embalming examiners, nurse examiners, and optometry examiners, and the membership of the State Board of Health was represented in each of these agencies. Hotel inspection and sanitation was supervised by the engineer member of the Board. The second form of control was secured through a law requiring certification to practice the professions affecting public health, the certificates to be issued by the State Board of Health upon recommendation of the proper examining body.<sup>56</sup>

Each examining board charged a fee for examination and

<sup>54</sup> *Laws of Iowa*, 1913, Ch. 207; *Biennial Report of the Iowa State Board of Health*, 1914-1916, p. 5.

<sup>55</sup> *Biennial Report of the Iowa State Board of Health*, 1914-1916, p. 5.

<sup>56</sup> *Supplement to the Code of 1913*, Sec. 2576.



a lesser fee for the annual registration of persons who were certified to practice professions affecting public health. The examining boards were to depend financially on the fees collected and were not to be a drain on the State Treasury.<sup>57</sup>

The Hotel Inspector was permitted to charge a fee for each hotel inspected and certified. For his services as Hotel Inspector, he was allowed \$1500 annually from the funds secured through inspection fees.<sup>58</sup>

The Hotel Inspector was given the privilege, with the concurrence of a majority of the State Board of Health, to appoint and remove one or more deputies. The Inspector was authorized to determine the compensation of the deputies, which was not to exceed five dollars per day.<sup>59</sup>

It will be observed that in 1913 the Secretary of the State Board of Health became the integrating factor in administering those functions that were entrusted to the State Board of Health. His office tended to be a clearing house for the agencies administering public health in Iowa. Because of the greater responsibility his salary was increased by law to \$3000.<sup>60</sup>

#### THE PRESENT STATUS OF STATE ADMINISTRATION OF PUBLIC HEALTH IN IOWA

The greatest degree of integration of public health agencies came to pass in 1924, when the present Department of Health was created. This enactment made possible the reorganization of those agencies carrying on health administration, giving the Department more authority.<sup>61</sup>

<sup>57</sup> *Supplement to the Code of 1913*, Sec. 2582.

<sup>58</sup> *Supplement to the Code of 1913*, Secs. 2514-h-2514-t.

<sup>59</sup> *Supplement to the Code of 1913*, Secs. 2514-p, 2514-t.

<sup>60</sup> *Supplement to the Code of 1913*, Sec. 2574.

<sup>61</sup> *Code of 1924*, Secs. 2181-2217.

The legislation creating the Department of Health provided that the Department be divided into at least six units — vital statistics; a division of contagious and infectious diseases; a division of venereal disease control; a division of housing; a division of sanitary engineering; and a division of examinations and licensures.<sup>62</sup>

The divisions within the Department have been changed since 1924, and at the present time (1933) there are five bureaus and seven divisions, each in charge of a specified service.

There does not appear to be any organic difference between bureaus and divisions. The term bureau, however, is attached to those units which the Commissioner thinks are more significant and have greater possibilities of expansion. The names of the respective units suggest the activities of the Department rather than a hegemony of subordinate parts. The Department enforces legislation pertaining to public health, such as regulations with reference to the control of contagious diseases, the shipment of dead bodies, the collection of vital statistics, and the investigation of stream pollution. Furthermore, the State Department of Health is permitted to make detailed regulations concerning some phases of health administration that can not be well controlled by means of legislation. This is the authority that permits the Department to prescribe the methods of fumigation of houses after a contagious disease and the methods of preparing dead human bodies for transportation. Regulations made by the Department are enforceable as though they were statutes, and in case local officials refuse or neglect to enforce these rules or legislation the Department may enforce them in lieu of the local health physician.

A State Board of Health, consisting of the members of

<sup>62</sup> *Code of 1924*, Sec. 2191 (16).



the Executive Council, the Commissioner, ex officio, and five physicians appointed by the Governor, serves in an advisory capacity to the Department on matters of administrative policy.<sup>63</sup>

The services rendered by the Department of Health may be divided into five categories: educational, judicial, licensure, collection of data, and the distribution of supplies.

*Educational Service of the Department of Health.*— All units within the Department of Health carry on some educational activity. A significant phase of educational service is observed in the control of communicable diseases. Two sets of bulletins — the *Iowa Public Health Bulletin* and the *Weekly Health Message* — prepared and disseminated by the Department bring to the public information concerning the prevalence of diseases and methods for their control. Articles appearing in these bulletins are frequently reproduced in the newspapers of the State, as well as in some professional magazines. Occasionally, the bulletins contain articles on hygiene and sanitation, discourses on sewage disposal, expositions on water supplies, or similar subjects.<sup>64</sup>

The program of education is also carried on by means of conferences, lectures, and demonstrations. Local health officers, organizations having an interest in public health, and social workers are frequently provided with conferences. The maternity and child hygiene service is almost exclusively an educational process. Conferences and demonstrations are arranged with parent-teacher associations, mothers' clubs, and similar organizations where instruction is given along the many lines of child care. In like man-

<sup>63</sup> *Code of 1931*, Secs. 2191, 2212, 2218, 2220.

<sup>64</sup> *Code of 1927*, Sec. 2191 (16); *Biennial Report of the Iowa State Department of Health*, 1928-1930, pp. 20, 21; *Iowa Public Health Bulletin*, Vol. XLII, No. 3.



ner, instruction is sometimes given to public health nurses in the State. Occasionally, demonstrations are provided in this field. Furthermore, the division of nursing education has for its purpose the improvement of equipment and instruction in hospitals that have training departments. The object is to secure higher standards and better trained nurses.<sup>65</sup>

*Judicial Service of the Department of Health.*—The State Department of Health has quasi-judicial functions in connection with the housing law and the law relative to the pollution of streams.<sup>66</sup> Appeals from the orders of local boards in regard to controversies involving the housing law may be made to the Department which is given authority to enforce its own decision in the local area. It appears, however, that this judicial service has been of little consequence since the housing law applies only to the first class cities, of which there are but sixteen in the State. Moreover, the housing law is administered locally in the first class cities. Provision is made for appeal but such appeals are rarely taken.

Occasionally, the Department renders a quasi-judicial service in connection with stream pollution. After a chemical and bacteriological examination the Department may order a hearing to determine whether or not the alleged offender is guilty. During the trial, the procedure is similar to that of a court; witnesses may be summoned and testimony given. If the hearing discloses the guilt of the alleged offender, the Department may enter an order requiring the guilty party to desist from emptying waste

<sup>65</sup> *Biennial Report of the Iowa State Department of Health, 1928-1930*, pp. 66-69, 71-73; *Iowa Public Health Bulletin; Public Health Nursing*.

<sup>66</sup> *Code of 1931*, Secs. 2191, 2196.

materials into the stream or to treat the materials in such a way as to render them innocuous.<sup>67</sup>

The Department can not, however, enforce an expenditure in excess of five thousand dollars without the concurrence of the Executive Council.<sup>68</sup> It is generally understood that the Department of Health is without quasi-judicial power and the reports of the United States Public Health Service and of the White House Conference suggest that interpretation, but, in reality, such powers do exist.<sup>69</sup>

*Licensures.*—A license is required in Iowa to practice medicine, dentistry, osteopathy, chiropractic, nursing, embalming, cosmetology, barbering, pharmacy, and podiatry. With certain exceptions, an examination must be satisfactorily passed before a license is issued. Iowa has a policy of reciprocity with a number of States so that in certain professions a license to practice in these States will be satisfactory basis for the issuing of a license without an examination. Furthermore, Iowa accepts for certain professions, a certificate of proficiency issued by the National Board of the profession concerned. The bulk of new licenses issued in Iowa are based on examinations.<sup>70</sup>

These examinations are prepared and supervised by an examining board for each profession. Each examining board is composed of three members, except the Board of Dental Examiners which has five. All members of examining boards are appointed by the Governor. The respective professions affecting public health may provide the Governor with a list of nominations. The Governor may, if he

<sup>67</sup> *Code of 1931* Secs. 2199–2201.

<sup>68</sup> *Code of 1931*, Secs. 2201, 2201-a1.

<sup>69</sup> *Public Health Organization* (Report of the Committee on Public Health Organization, White House Conference, 1932), p. 153.

<sup>70</sup> *Code of 1931*, Secs. 2439, 2442, 2481; *Biennial Report of the Iowa State Department of Health*, 1926–1928, p. 113.



chooses to do so, select the members of the examining boards from those nominated.<sup>71</sup>

Application for examination is made to the Division of Examination and Licensures of the Department of Health, except for prospective pharmacists, osteopaths, and chiropractors, who make application directly to the secretary of the respective examining board. The names of applicants together with other credentials are transmitted, through the Commissioner to the proper examining board. After the examination, each examining board certifies to the Commissioner the names of those who have satisfactorily passed the examination, and the Commissioner issues the license. A renewal of each license is required annually, with the payment of the renewal fee.<sup>72</sup>

License fees are collected by the Division of Examinations and Licensures and deposited by the Commissioner in the State Treasury. Three professions are exceptions to this procedure — osteopathy, chiropractic, and pharmacy. In the case of the chiropractors and osteopaths, the fees are collected by the Secretary of each Examining Board and are then deposited with the Commissioner of Health, who transmits them to the State Treasury. The Secretary of the Pharmacy Board collects the pharmacy fees and deposits them in the State Treasury without their going through the Commissioner's hands.<sup>73</sup>

Plumbers are licensed by the city councils, although some persons believe this is a proper activity to be performed by the Department of Health, permitting the funds received from plumbing licensure to be used in administering the State Housing Law.<sup>74</sup>

<sup>71</sup> *Code of 1931*, Secs. 2449–2461.

<sup>72</sup> *Code of 1931*, Secs. 2466, 2529, 2534.

<sup>73</sup> *Code of 1931*, Secs. 2516, 2518, 2529, 2534, 2535.

<sup>74</sup> *Code of 1931*, Sec. 2195.



Public health authorities are wont to point out that health service would be more efficient if the professions affecting public health were required to take a periodic examination. At the present time one examination suffices for a lifetime. The license is supposed to be presumptive evidence that the licensee is proficient in all phases of his profession. A periodic examination, possibly similar to that required of the professional employees in the United States Public Health Service, would improve the professional service and would instill a greater public confidence in these professions.

*Investigation and Inspection by the Department of Health.*—The Department of Health may make investigations of polluted waters and other alleged sources of disease. Such investigations must be made by the Department upon the request of a local board of health or by twenty-five petitioners.<sup>75</sup>

A comprehensive survey has been undertaken of the principal streams in Iowa, which includes thus far, the Des Moines, Cedar, Iowa, and Shell Rock rivers, and Lime Creek. As a result of these surveys a few plants discharging industrial wastes into the rivers have installed waste-converting plants. A quantity of untreated wastes, however, are still discharged into the streams. Furthermore, constant vigilance over waste-converting plants is necessary to be sure that the system used by each plant is operating satisfactorily.<sup>76</sup>

The Department also makes surveys of public water supplies, sewage disposal systems, resorts, and lakes. No investigations are made of water supplies or sewage systems

<sup>75</sup> *Code of 1931*, Sec. 2198.

<sup>76</sup> *Biennial Report of the Iowa State Department of Health*, 1928–1930, p. 81.

other than through the surveys, except upon the appearance of a water-born disease.<sup>77</sup>

The Department of Health has no analytical laboratory of its own. The State Hygienic Laboratories, operated as a part of the Medical College of the State University, are, however, required to make analytical examinations when requested by the Department of Health. This arrangement saves some duplication of equipment and expert services, but makes for a division of responsibility. Samples that the Department desires to have analyzed must be sent to Iowa City. This requires correspondence, transportation of samples, and duplication of clerical service in tabulating the results of laboratory examinations.<sup>78</sup>

The Department of Health has general supervision over the Housing Law, but the enforcement and administration is largely left to local authorities. This law applies only to the first class cities of the State, and fifteen of these sixteen cities have departments for enforcing the State Housing Law. Building plans are submitted to the local department. In case of disagreement over housing plans, the controversy may be submitted to the State Department of Health.<sup>79</sup>

An inspection service of cosmetology establishments and barber shops is provided through the Department of Health. This inspection service is an effort to maintain the standards of sanitation prescribed by the State Department of Health. It is also an endeavor to preclude persons

<sup>77</sup> *Iowa Public Health Bulletin*, 1928, Vol. XLII, No. 3, p. 4; *Biennial Report of the Iowa State Department of Health*, 1928-1930, pp. 77-83.

<sup>78</sup> *Biennial Report of the Iowa State Department of Health*, 1928-1930, p. 86; *Code of 1931*, Secs. 3952, 3953; letter to the author from Dr. E. R. Coffey, of the United States Public Health Service attached to the Iowa Department of Health, dated April 4, 1924.

<sup>79</sup> *Code of 1931*, Secs. 2191, 6327, 6328; *Iowa Public Health Bulletin*, 1928, Vol. XLII, No. 3, p. 11.



from practicing barbering or cosmetology without a license.<sup>80</sup>

Until 1929 such inspection service was confined to the two named professions. In that year the legislature provided for a legal investigator to operate through the Department of Health. The law states that the service shall embrace all professions included in the practice act. The ambiguity of the several laws raises a question as to the extent of this service. The laws pertaining to pharmacy especially raise the question as to the legal investigative service being coterminus with the practice act. It would appear that investigations pertaining to pharmacy are to be made by the Secretary of the Pharmacy Examining Board. A case was not discovered that clearly demonstrated the authority of the Department, through its legal service, to enforce chiropractic and osteopathy regulations, but the ambiguity would seem to be much less with these two professions than it is in the case of the Pharmacy Examining Board.<sup>81</sup>

Evidence of violations of the practice act are collected by the legal investigator, and presented to the Commissioner. The Commissioner then notifies the Attorney General of the violations, and provides him with the evidence collected. The Attorney General is to commence action when notified and provided with the supporting evidence. The legal obligations of the investigator have been satisfied when the evidence has been collected and presented to the Commissioner of Health.<sup>82</sup>

<sup>80</sup> *Code of 1931*, Secs. 2585-b6, 2585-b18; *Biennial Report of the Iowa State Department of Health*, 1928-1930, pp. 44-47.

<sup>81</sup> *Laws of Iowa*, 1929, Ch. 64; *Biennial Report of the Iowa State Department of Health*, 1928-1930, pp. 17, 18; *Code of 1931*, Secs. 2523-c1, 2530-2533.

<sup>82</sup> *Biennial Report of the Iowa State Department of Health*, 1928-1930, pp. 74, 75.



*Collection of Data by the Department of Health.*—Iowa is divided into registration districts for the collection of vital statistics. Each district consists of a city or town or the portion of a township lying outside of a city or town. A local registrar is selected for each district by the county board of supervisors. In cities with a population of over 35,000 the selection of the registrar is made by the local board of health.<sup>83</sup>

Each local registrar keeps a register of all birth and death certificates issued within the district. Each physician is required to file with the local registrar a certificate of each birth attended in the district. In like manner, undertakers must report monthly all death certificates issued.<sup>84</sup>

On the tenth of each month all local registrars send to the Commissioner of Health, who is the State Registrar, all original certificates registered during the preceding month. If no deaths or births have occurred during the month, that fact is to be reported. Each local registrar receives a twenty-five cent fee for each certificate recorded and sent to the State Registrar. A fee of twenty-five cents is paid the local registrar each month he reports that no deaths or births have occurred during the previous month.<sup>85</sup>

Data pertaining to marriages and divorces is collected by the clerks of the district courts. The clerks keep a record of all marriages and divorces taking place within their respective counties and transmit annually to the State Department of Health the original marriage certificates filed in their offices during the year together with a copy of the record of every divorce granted during the year, and any

<sup>83</sup> *Code of 1931*, Secs. 2385, 2389–2391.

<sup>84</sup> *Code of 1931*, Secs. 2319, 2394 (7), 2399.

<sup>85</sup> *Code of 1931*, Secs. 2394 (8), 2417, 2420.

other information concerning vital statistics requested by the State Registrar.<sup>86</sup>

Local registrars and clerks of the district courts are subject to State supervision with reference to the registration of vital statistics, and the enforcement of the law pertaining to the disposal of dead bodies.<sup>87</sup>

After the vital statistics are received by the Department of Health, they are classified according to the political divisions of the State to show information in regard to the population of Iowa. This material is bound and filed in the Historical, Memorial and Art Department of Iowa, for future use.<sup>88</sup>

In 1923 Iowa was admitted to the United States Registration Area for deaths and in 1924 for births. This means, according to the reports of the Bureau of the Census of the Department of Commerce, that more than ninety per cent of the births and deaths in Iowa are reported.<sup>89</sup>

Information concerning contagious and infectious diseases is collected by the local health officers. Each physician attending persons with a quarantinable disease must report the case immediately to the local health officer; the latter is required to report the disease to the State Department of Health. Venereal diseases, however, are reported by the examining physician directly to the State Department of Health, except where the city or town maintains a full-time health physician, in which case the report is made to the local health officer, who reports to the State Department of Health. From the reports made by the local officers the Bureau for the Control of Preventable Diseases

<sup>86</sup> *Code of 1931*, Secs. 2421-2425.

<sup>87</sup> *Code of 1931*, Secs. 2393-2420.

<sup>88</sup> *Iowa Public Health Bulletin*, 1928, Vol. XLII, No. 2, pp. 1-16; *Code of 1931*, Sec. 2393.

<sup>89</sup> *Biennial Report of the Iowa State Department of Health*, 1926-1928, p. 43.



analyzes and compiles the data into useable form. The information obtained is disseminated so that it will be available in combating epidemics. The Department may take direct action in certain areas as a result of the information secured from the local health officers.<sup>90</sup>

*Distribution of Supplies by the Department of Health.*

— The State Department of Health furnishes each local registrar of vital statistics with books for registering births and deaths, as well as blank forms for use in reporting to the State Registrar. Similarly, supplies are furnished and registers are prescribed for the clerks of the district court for use in connection with registration of marriages and divorces. Furthermore, forms, instructions, and other materials are furnished to the local health officers.<sup>91</sup>

In addition, the Department of Health distributes biological supplies throughout the State. The State Department of Health simply enters into a contract with a manufacturer for a consigned emergency stock of biologicals. The Department serves physicians and druggists from this consigned emergency stock. When biologicals are needed in a given area, the Department sends the necessary materials to a proper person, and at the same time notifies the manufacturer of the shipment; the manufacturer collects the cost of the supplies directly from the dealer or health officer receiving them. Some materials, such as toxin, anti-toxin, and neoarsphenamine, are supplied without charge by the Department of Health.<sup>92</sup>

<sup>90</sup> *Biennial Report of the Iowa State Department of Health*, 1928–1930, pp. 20, 21; *Code of 1931*, Secs. 2249, 2281.

<sup>91</sup> *Code of 1931*, Secs. 2393, 2394 (7), 2422.

<sup>92</sup> *Code of 1931*, Sec. 2191 (11); letter to the author from Dr. E. R. Coffey, of the United States Public Health Service attached to the Iowa Department of Health, dated March 24, 1932.



*The State Board of Eugenics.*—The Forty-third General Assembly, in 1929, created a Board of Eugenics. This Board consists of the Superintendent of the Psychopathic Hospital, the Superintendents of the four hospitals for the insane, the Superintendent of the Institution for Feeble-minded Children, the Superintendent of the Hospital for Epileptics and Feeble-minded, and the Superintendent of the Women's Reformatory.<sup>93</sup>

Persons in charge of each of the State penal and correctional institutions are supposed to "report to the state board of eugenics the names of all persons, male or female, living in this state, of whom he or she may have knowledge, who are feeble-minded, insane, syphilitic, habitual criminals, moral degenerates, or sexual perverts and who are a menace to society."<sup>94</sup> These reports are supposed to be made on the first of January, April, July, and October of each year.

The purpose of the law is to furnish the Eugenics Board with information in regard to persons who are a menace to society so that such degenerates may be sterilized, if investigation discloses the mental infirmity to be inherited. However, the Eugenics Law in Iowa is a dead letter. The Board is unwieldy in its composition, and its members are scattered over the State, making meetings difficult. But the most striking defect in the law is its failure to provide for an administrative body. There is no agency designated for the purpose of receiving reports; although reports are supposed to be made to the Eugenics Board, membership of the Board is scattered over the State, and there is no provision for an executive officer. No one is designated to investigate the report of mental degeneration, if such reports are made. The law further states that the Eugenics

<sup>93</sup> *Code of 1931*, Sec. 2437-c1.

<sup>94</sup> *Code of 1931*, Sec. 2437-c2.

Board must notify the person to be sterilized, when such a decision is reached. If the person is not rational, then the next of kin is to be notified of the decision. However, no executive officer is provided and there is no appropriation to carry out the provision if there were executive responsibility. Consequently, the law and the Eugenics Board which it creates are without potency.<sup>95</sup>

*Health Work of the Bureau of Labor Statistics.*—In addition to collecting labor statistics, the Bureau of Labor Statistics inspects factories to determine the state of sanitation, the condition of lighting, plumbing and heating equipment. The inspection of machinery with a view to determining the safety of employees also comes within the authority of the Labor Bureau. Iowa, however, has no distinct service in industrial hygiene.<sup>96</sup>

*Health Work of the Department of Agriculture.*—Refinement in administration was going on in the Department of Agriculture as well as in the Department of Health, and in 1923 the inspection of hotels, restaurants, cold storage plants, slaughter houses, and food establishments was placed in the Department of Agriculture.<sup>97</sup>

Food and sanitary inspections are administered in Iowa by the Department of Agriculture, through the Dairy and Food Division. The inspection service is under the general supervision of the Secretary of Agriculture, who is elected by popular vote. Inspectors and other subordinate officers are appointed by the Secretary.<sup>98</sup>

The State is divided into thirty districts with an inspec-

<sup>95</sup> *Code of 1931*, Secs. 2437-c12—2437-c14.

<sup>96</sup> *Iowa Official Register*, 1929-1930, p. 156.

<sup>97</sup> *Laws of Iowa*, 1923, Ch. 46.

<sup>98</sup> *Code of 1931*, Secs. 2590, 2591.



tor in charge of each district. Each inspector visits dairies, creameries, bakeries, grocery stores, canning factories, butcher shops, restaurants, and hotels to determine the degree of sanitation in each establishment, and to see that each place is properly licensed. This health inspection is, however, incidental to a commercial service that each inspector is required to do. Much of his activity consists of testing gasoline pumps, oil measures, scales, seeds, and commercial feeds.<sup>99</sup>

A laboratory of the Food and Dairy Division is used to determine the adulteration of foods. In addition, this laboratory does the analytical work for the Pharmacy Board, which has charge of the enforcement of the law standardizing the purity of drugs. The Pharmacy Board has no other laboratory.<sup>100</sup>

The sanitary and food inspection service in Iowa is frequently criticized because of its inadequacy. Under the present arrangement, the inspection service is little more than a copying of the license number of the place visited, which is tangible evidence that the inspector visited the place of business on the date indicated in his weekly report to the chief of the Food and Dairy Division. Since the inspection service ranges from the examination of milk to the testing of seeds, and from exacting a standard loaf of bread to the determination of the accuracy of oil and gasoline measures, the sanitary inspection at best can be little more than a routine procedure.

Furthermore, the service is inadequate because the sanitary program is divided between the Department of Agriculture and the Department of Health. Persons having tuberculosis, venereal disease, or other infectious diseases

<sup>99</sup> *Report of the Dairy and Food Division of the Department of Agriculture*, 1927, pp. 41-45.

<sup>100</sup> *Code of 1931*, Sec. 3180; *Iowa Year Book of Agriculture*, 1929, pp. 94-96.



are prohibited by law from handling food offered for sale, or working in close contact with foods, or being engaged in food preparation. Information concerning diseases is collected by and reposes in the Department of Health, but the sanitary law is enforced in the Department of Agriculture, by a personnel not familiar with infectious diseases and without information as to the existing cases reported by the local health officials.

The Division of Animal Industry also does some public health service through its control of animal diseases. According to a State law all dairy and breeding cattle in Iowa are to be given a tuberculin test. Cattle reacting to the test are condemned. Through comity with the United States Department of Agriculture and legislation requiring the counties to levy a tax for the purpose, indemnity is paid the owners of reactors. The indemnity is paid in part by the Federal government, in part from State appropriations, and, in counties in which the State allotment has been exhausted, by the counties from a special tax fund. The program of tuberculin testing has been carried out in over half of the counties, although there has been opposition to the program in certain localities.<sup>101</sup>

In 1930, a comprehensive investigation of malta fever was made through the combined efforts of the Department of Agriculture, the Department of Health, the Veterinary Department of Iowa State College, the State Hygienic Laboratories, the American Medical Association, the College of Medicine, and the United States Public Health Service. From this study Dr. A. V. Hardy, then Director of the Hygienic Laboratories, concluded that the disease showed a correlation with contact with raw meat. Those in direct contact with raw meats, packing house employees, for ex-

<sup>101</sup> *Code of 1931*, Secs. 2665, 2681, 2691, 2703; *Iowa Year Book of Agriculture*, 1929, p. 133.

ample, were more prone to have malta fever, while those isolated from contact with raw meat showed symptoms of the disease less frequently.<sup>102</sup>

Anthrax and rabies have not been general diseases in Iowa. Each year there are a few cases of rabies among animals. These cases are reported to the local board of health which is expected to notify the Division of Animal Industry in the Department of Agriculture and the State Department of Health. Upon receipt of the report, the Department of Agriculture may quarantine the premises where the infected animal was found. In order to insure correct diagnosis of the disease a pathological examination of the infected animal can be secured at the State Hygienic Laboratories or the Veterinary Division at Iowa State College. Anthrax occurred in Harrison County during the summer of 1931. The epidemic was not considered serious and was confined to the county. The control measures were established by the Department of Agriculture.<sup>103</sup>

*Responsibility of the State Board of Education for Public Health.*—Under the supervision of the State Board of Education several institutions perform significant health service incidental to teaching. Much of this public health service is furnished through the State University although each of the five educational institutions under the control of the State Board of Education offers some health service.

One aspect of public health service is incidental to the teaching of medicine at the State University. The Perkins-Haskell-Klaus Law permits indigent persons suffering from maladies or deformities that can probably be improved through medical or surgical treatment to be sent to the University Hospital for the necessary medical care.

<sup>102</sup> *Iowa Year Book of Agriculture*, 1929, pp. 143, 144.

<sup>103</sup> *Iowa Year Book of Agriculture*, 1929, pp. 135, 136; *Code of 1931*, Secs. 2191 (4), 2651, 3952, 3953.



This service is secured through a court order. Before issuing an order the Judge is authorized to appoint a physician to make an examination of the person seeking medical care, to determine if the case is one that can be improved through hospitalization, and whether the case will have any clinical value. The county attorney is supposed to determine the degree of indigence of the patient. In practice, much of this work is done through welfare organizations and local medical societies.<sup>104</sup>

Because of the limited appropriation for the indigent service the funds are insufficient to operate the hospital to capacity. Consequently, there is a long waiting list of patients for some departments of the hospital. A number of departments, however, have no more material than is needed.<sup>105</sup>

The Psychopathic Hospital is designed to care for persons having mental diseases that are remedial. Admission to the hospital may be gained through a court order or by application directly to the Superintendent. The court order is not coercive upon the Hospital, however, because cases that do not lend themselves to the purposes of the hospital are not admitted. Furthermore, if there is insufficient room at the time of commitment, the patient can not be received. The out-patient service is growing rapidly.<sup>106</sup>

The College of Dentistry also furnishes some public health service incidental to its teaching program. A dental clinic in the College of Dentistry provides dental service for about 55,000 people annually. Patients pay for the ser-

<sup>104</sup> *Code of 1931*, Secs. 4005, 4006, 4009, 4010, 4012; *Report of the Committee on Medical Education and Hospitals Iowa State Medical Society*, 1930, p. 45.

<sup>105</sup> *Report of the Committee on Medical Education and Hospitals Iowa State Medical Society*, 1930, pp. 30, 45, 46.

<sup>106</sup> *Report of the Committee on Medical Education and Hospitals Iowa State Medical Society*, 1930, pp. 30-32; *Code of 1931*, Secs. 3963-3971; *Bulletin of the State University of Iowa*, New Series, No. 579, pp. 16, 30, 31.



vice received; the College of Dentistry has no indigent patient fund.<sup>107</sup>

In addition to the clinic, the Dental College carries on a program of dental education through the public schools of the State. This is a very important educational activity. Students of public administration observe, however, a division of responsibility between the Bureau of Dental Hygiene and the Department of Health in the State's educational health program.<sup>108</sup>

The Child Welfare Research Station offers some public health service through its literature on the several aspects of child care. Furthermore, a consultation service is provided on infant feeding. Infants from all sections of the State are brought to the station for observation and advice upon dietary matters. Moreover, the pre-school laboratories guard the health of the children in attendance, and also serve as a research station on matters of diet and kindred subjects.<sup>109</sup> Some duplication of services is observable between the State Department of Health and the Child Welfare Research Station.

*The State Board of Control.*—Seven hospitals under the management of the State Board of Control provide public health services. In the other eight institutions the public health service is incidental to custodial care. In all of the juvenile homes, however, health service is an important part of the training system.

The hospitals providing a distinct public health service

<sup>107</sup> Information concerning the operation of the Dental Infirmary was secured through interviews with the Dean of the College of Dentistry and the Director of the Dental Infirmary.

<sup>108</sup> *Iowa Dental Bulletin*, 1931, Vol. XVIII, No. 3, pp. 72, 73; *Public Health Organization* (Report of the Committee on Organization, White House Conference, 1932), p. 329.

<sup>109</sup> *Code of 1931*, Sec. 3950; *Bulletin of the State University of Iowa*, New Series, No. 560, pp. 26, 27.

are: the four hospitals for the insane, the two hospitals for feeble-minded and epileptics, and the State Sanatorium for the Treatment of Tuberculosis.

Patients are received at hospitals for the insane only after a commitment through a local commission of insanity which is composed of three persons, who are appointed by a judge of the district court. The commission in each county is composed of the clerk of the district court, who serves as the secretary, a practicing physician, and an active attorney. Provision has been made for treating drug addicts and alcoholics at the insane hospitals in addition to the care of purely mental cases.<sup>110</sup>

Expense for the care of patients in the four hospitals is charged to the counties from which they are committed unless no legal settlement is indicated in the commitment, in which case the State bears the expense. The cost is determined on the per capita expenditure for support each month, which is the basis for payment in all cases, whether borne by the county or by the State.<sup>111</sup>

The cost of a patient's care is collected through the State Auditor's office. Patients who are financially responsible are supposed to pay for their own care, but each county is responsible for the cost of the care of the patients from its jurisdiction. The sum is paid from county funds and later may be collected by county authorities from the responsible parties.<sup>112</sup>

The Hospital for Epileptics at Woodward was originally established to better care for a growing number of epileptics committed to the Institution for the Feeble-minded at Glenwood: one institution was for feeble-minded persons

<sup>110</sup> *Code of 1931*, Secs. 3478, 3479, 3534, 3535, 3536, 3544.

<sup>111</sup> *Code of 1931*, Secs. 3581-3586.

<sup>112</sup> *Code of 1931*, Secs. 3600, 3601; *Biennial Report of the Auditor of State*, 1928-1930, pp. 239-242.



and the other for epileptics. The State has now been divided, however, into districts, so that each one of the institutions accommodates a district. As a result, both feeble-minded persons and epileptics are sent to each institution, although feeble-minded cases predominate at Glenwood and epileptics at Woodward.<sup>113</sup>

Each county is responsible for the transportation of persons to the hospitals at Glenwood and Woodward as well as for the cost of the clothing of all persons while in the custody of either institution. The State pays the remainder of the support.<sup>114</sup>

Unlike the four hospitals for the insane, patients can be admitted to these two hospitals privately; that is, without a formal commitment. Private cases, however, must arrange at the time of admission for the payment of the service. Most of the commitments are the result of court order.<sup>115</sup>

Admission to the State Sanatorium is gained through application directly to the superintendent. The application must be accompanied by a physician's diagnosis. If the information contained in the application and the supporting evidence provided by a physician indicate the probability of tubercular infection the patient is asked to come to the hospital for further examination. If the examination discloses a case of tuberculosis, the patient is given a place on the waiting list and admitted as soon as facilities are available. Indigent patients are given preference in admission to the hospital. Furthermore, patients living in

<sup>113</sup> *Code of 1931*, Sec. 3476; *Biennial Report of the Superintendent of the Iowa Institution for Feeble-minded Children*, 1926-1928, p. 3; *Biennial Report of the Superintendent of the Hospital for Epileptics and School for Feeble-minded*, 1928-1930, p. 23.

<sup>114</sup> *Code of 1931*, Secs. 3406, 3474; *Biennial Report of the Auditor of State*, 1928-1930, pp. 239-246.

<sup>115</sup> *Code of 1931*, Secs. 3405, 3464, 3469, 3470.



counties not accommodated by a tuberculosis sanatorium are given preference, other factors being equal.<sup>116</sup>

#### CONCLUSION

Iowa offers the usual public health services. Health administration in Iowa has expanded tremendously since the establishment of the Board of Health in 1880. The appropriations for the Department have increased from \$5000 per annum to \$95,950;<sup>117</sup> and the expansion of services seems to be commensurate with the increase in appropriations. At the same time, with the evolution of our disintegrated system, public health administration in Iowa has been extended to other departments. Consequently, a very significant body of health service is administered through other agencies, and no general unification of the health program of the State has come to pass. The integration that has been effected has been piecemeal in character and without a State wide program. For that reason, each agency has an independent program that may be in competition with others, resulting in duplication of effort and a division of responsibility. Division of responsibility is noted in regard to the program of sanitation which is divided between the Department of Health and the Department of Agriculture, without a clear statement as to the authority of either.

All of the activity pertaining to mental hygiene is carried on either by the hospitals under the management of the State Board of Control or the Psychopathic Hospital at Iowa City. However, the hospitals for the insane and the two institutions for the feeble-minded and epileptics

<sup>116</sup> *Code of 1931*, Secs. 3390, 3391, 3392; *Biennial Report of the Superintendent of the State Sanatorium*, 1926-1928, pp. 1, 2; *Biennial Report of the Attorney General*, 1925-1926, p. 256.

<sup>117</sup> *Biennial Report of the Iowa State Board of Health*, 1881-1883, p. 319, 1883-1885, p. 425; *Laws of Iowa*, 1931, Ch. 257.

are not exclusively engaged in preventive or remedial work. The service provided at the Psychopathic Hospital is entirely of a remedial or preventive nature.

Except for the indigent patient service at the University Hospital, no cost accounting system has been instituted. For that reason, it is impossible with our present arrangement to secure an accurate statement of the total expenditure for public health administration in Iowa or to secure an accurate comparison of the cost of health services with other States. The health departments in many of the other States are more highly integrated than is the Department of Iowa. Consequently, the expenditures of the health departments are not comparable. Some State Departments of Health have supervision of services that in Iowa are divided between the Department of Health, the Department of Agriculture, and the agencies under the State Board of Control and the State Board of Education. A comparison of expenditures of the respective departments of health is not a satisfactory method, although that was the method used by the investigators for the White House Conference. Since there is no complete cost accounting system in Iowa it is impossible to accurately determine the cost of health services furnished by the State.

There is no merit or personnel system for the administration of public health in Iowa. Legal qualifications are provided for the supervising officers; for other officers no qualifications are imposed. The supervising officer is restricted only by his own discretion in making his selections.

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## APPEALS FROM THE SUPREME COURT OF IOWA TO THE SUPREME COURT OF THE UNITED STATES

The courts involved in this study are the Supreme Court of the United States, the Supreme Court of the Territory of Michigan (1834–1836), the Supreme Court of the Territory of Wisconsin (1836–1838), the Supreme Court of the Territory of Iowa (1838–1846), and the Supreme Court of the State of Iowa.

There were few permanent settlers in the Iowa region prior to 1836,<sup>1</sup> and the position of Iowa was little affected by the organic laws of the various Territories before that time, but it is interesting to note that acts dealing with the Iowa country under these Territorial governments were relied upon thirteen times in cases appealed from the Territorial Supreme Courts and the Supreme Court of the State of Iowa. One of these cases came up as late as 1902.<sup>2</sup>

From 1834 to 1836 the Iowa country was annexed to the Territory of Michigan. On April 20, 1836, Congress created the Territory of Wisconsin, including the present area of Iowa. A Chief Justice and two Associate Justices, appointed by the President of the United States for a term of four years, made up the Supreme Court of the Territory of Wisconsin. Charles Dunn, David Irvin, and William Frazer served upon the Wisconsin bench at its yearly sessions during the period of Iowa's connection with that Ter-

<sup>1</sup> Shambaugh's *History of the Constitutions of Iowa*, p. 68; Petersen's *Some Beginnings in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXVIII, pp. 11–21.

<sup>2</sup> 45 U. S. 17; 46 U. S. 213; 47 U. S. 284; 51 U. S. 72, 81; 52 U. S. 437; 53 U. S. 1; 187 U. S. 87.



ritory. To afford final adjudication of all conflicts, the citizens of the Territory of Wisconsin were given the right of appeal to the Federal Supreme Court.<sup>3</sup>

An act of Congress approved on June 12, 1838, provided for the establishment of a Territorial government for Iowa and for a judicial organization in that Territory, consisting of a Supreme Court, district courts, probate courts, and justice of the peace courts. A Chief Justice and two Associate Justices were to be appointed by the President for a term of four years and were to hold district courts as provided by the Territorial legislature.<sup>4</sup>

The Supreme Court of the Territory of Iowa was served by three Justices: Charles Mason, Chief Justice, and Associate Justices Joseph Williams and Thomas S. Wilson. They were appointed in 1838 by President Van Buren for a period of four years. Their term of office, however, exceeded this, for they were reappointed and served until 1847. During the nine years these men served the Territory and the State of Iowa they delivered at least two hundred and sixteen opinions — the number of cases reported by Morris in his first volume of *Iowa Reports*. The reporter, however, apologizes for not including all of the opinions in his reports, stating that he was unable to secure them from the Justices.<sup>5</sup>

Under the State Constitution adopted in 1846, the two houses of the legislature in joint session were to elect a Chief Justice and two Associate Justices of the Supreme Court. The term of office was six years. The first General Assembly, however, failed to elect Supreme Court Judges,

<sup>3</sup> *United States Statutes at Large*, Vol. V, pp. 15, 16; Swisher's *The Judiciary of the Territory of Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XX, p. 229; *Laws of the Territory of Wisconsin, 1836-1838*, pp. 18, 78.

<sup>4</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 108-110.

<sup>5</sup> See the preface to the first volume of Morris's *Iowa Reports*.

and as a result the three Territorial Judges were continued in office.<sup>6</sup>

Previous to the July term, 1847, Chief Justice Mason and Justice Williams resigned, and the Governor appointed Judge Williams Chief Justice, and John F. Kinney Associate Justice. The July term was held by Judges Williams, Wilson, and Kinney, and under the guidance of these three jurists the Supreme Court of the State of Iowa began its long and distinguished career. When the General Assembly met in December, 1848, these three men were named by the joint vote of the House and Senate as Judges of the State Supreme Court, their term beginning on January 15, 1849.<sup>7</sup> During the eleven years under the Constitution of 1846 the Iowa Supreme Court handed down more than eighteen hundred decisions.<sup>8</sup>

At present the judicial system of the State of Iowa operates under the Constitution of 1857 which provides for "a supreme court, district courts, and such other courts, inferior to the supreme court, as the general assembly may, from time to time establish". The General Assembly may increase the number of Supreme Court Judges, but no power is given the legislative branch to diminish the number of judges on the Supreme Bench.<sup>9</sup>

The original State Supreme Court under the Constitution of 1857 consisted of a Chief Justice and two Associate Justices elected directly by the people for a term of six

<sup>6</sup> This was in accordance with a provision stipulating that all officers, civil and military, holding their offices and appointments in the Territory under the authority of either the United States or the Territory, should continue in office until they should be superseded by men qualified under the Constitution.—Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, p. 209; Constitution of Iowa, 1846, Article XIII, Section 5.

<sup>7</sup> 1 Morris, vii; 1 Greene 5.

<sup>8</sup> 1 Greene contains 267 decisions: 2 Greene, 280; 3 Greene, 338; 4 Greene, 381; 1 Clarke, 204; 2 Clarke, 135; 3 Clarke, 182; and 4 Clarke, 40.

<sup>9</sup> Constitution of Iowa, 1857, Article V, Section 1.



years. At present the Court is composed of a Chief Justice and eight Associate Justices, holding office for a term of six years.<sup>10</sup> During this term these men are ineligible for other offices of trust in the State. Fifty-four men have served the State upon the Supreme Court since the adoption of the Constitution of 1846.<sup>11</sup>

#### CASES APPEALED FROM THE TERRITORIAL SUPREME COURT

In view of the predominantly frontier and agricultural conditions prevailing in the Territory of Iowa, it is not surprising that the first case reaching the Supreme Court of the United States from the Supreme Court of the Territory of Iowa was one dealing with the title to land. In fact, only two cases appealed to the Federal Supreme Court from the Territory of Iowa did not deal with some phase of the land situation.<sup>12</sup> It is significant also that the first appeal resulted in a vindication of the Territorial Court, and this action must have increased the confidence of the settlers in their judiciary. Of the eleven cases from the Territorial Supreme Court reaching final decision in the Supreme Court of the United States — all decided after 1846 — four were affirmed, four dismissed, and three reversed.<sup>13</sup> If we consider the cases dismissed as in effect

<sup>10</sup> *Laws of Iowa*, 1864, Ch. 23, Sec. 1, 1876, Ch. 7, Sec. 1, 1894, Ch. 69, Sec. 1, 1913, Ch. 22, Sec. 1, 1927, Ch. 230, Sec. 1, 1929, Ch. 260, Sec. 1.

<sup>11</sup> For the list of Justices down to 1933, see *Iowa Official Register*, 1931-1932, pp. 106, 107, and later.

<sup>12</sup> These two cases were *Miners' Bank of Dubuque v. United States*, 46 U. S. 213, dealing with contract rights, and *McNulty v. Batty*, 51 U. S. 72, dealing with a suit for damages.

<sup>13</sup> *Affirmed*: *Levi v. Thompson*, 45 U. S. 17; *Sheppard v. Wilson*, 46 U. S. 210; *Bush v. Marshall*, 47 U. S. 284; *Sheppard v. Wilson*, 47 U. S. 260. *Reversed*: *Gear v. Parish*, 46 U. S. 168; *Marsh v. Brooks*, 49 U. S. 233; *Webster v. Reid*, 52 U. S. 437. *Dismissed*: *Miners' Bank of Dubuque v. United States*, 46 U. S. 213; *McNulty v. Batty*, 51 U. S. 72; *Preston v. Bracken*, 51 U. S. 81; *Messenger v. Mason*, 77 U. S. 507.



being affirmed, we have a total of eight decisions affirmed with only three reversals.

The case of *Levi v. Thompson* illustrates how land titles came into litigation. Alexander Levi and John Thompson were tenants in common of a lot in the town of Dubuque. They secured their land by preëmption rights and were issued a receipt for payment upon the first day of April, 1840. It was a traditional April first transaction, for out of their common interests sprang conflicting claims of sufficient magnitude to require a final adjudication in the Supreme Court of the United States. Soon after the purchase of the property by Levi and Thompson, a suit was started against them to collect the sum of \$780.50. A judgment was secured for this amount and the sheriff was ordered to sell the property in order to secure the money. Thompson bought the property at the sale, and later sold it to a third party who made the purchase in good faith. Levi then came forward and claimed an interest in the property on the ground that the Territory could not cause the title to the land to pass at a sheriff's sale because the title to the land was not vested in the Territory of Iowa but in the United States. The district court and the Supreme Court of the Territory did not uphold this contention, and an appeal was taken to the Supreme Court of the United States where the lower courts were sustained.<sup>14</sup>

But land titles did not furnish all the points to be considered in the appeals of this period. Seven cases involved the question of the position and jurisdiction of the Territorial judiciary.<sup>15</sup>

In sustaining a motion to dismiss a writ of error to the

<sup>14</sup> *Levi v. Thompson*, 45 U. S. 17.

<sup>15</sup> *Miners' Bank of Dubuque v. United States*, 46 U. S. 213; *Sheppard v. Wilson*, 46 U. S. 210, and 47 U. S. 260; *McNulty v. Batty*, 51 U. S. 72; *Preston v. Bracken*, 51 U. S. 81; *Webster v. Reid*, 52 U. S. 437; *Messenger v. Mason*, 77 U. S. 507.

Supreme Court of the Territory of Iowa in the case of the *Miners' Bank v. The United States*, Justice Roger B. Taney held that a final judgment must be rendered by the Territorial Court before an appeal could be made to the Supreme Court of the United States. There had been in this case at the time of appeal "no judgment of ouster against them [the officers of the bank], nor anything in the judgment which prevents them from continuing to exercise the liberties and privileges which the information charges them to have usurped. In order to make the decision a final one, the court, under the opinion expressed by them, should have proceeded to adjudge that the plaintiffs in error do not in any manner use the privileges and franchises in question". The Supreme Court of the Territory had awarded the *procedendo* to the district court, the Supreme Court having no power to give a judgment of ouster, in the shape in which the case came before it, but had not given final judgment.<sup>16</sup>

The inhabitants of the Territory, the United States Supreme Court ruled, were not to be denied the right of appeal to the Federal Supreme Court merely because of the phraseology of the Judiciary Act of 1789. A motion to dismiss a writ of error in the case of *Sheppard v. Wilson* was denied by Chief Justice Taney who, speaking for the Court, said: "it can hardly be supposed that Congress intended to deny to suitors in the Territorial courts the conveniences and facilities which it had provided for suitors in the courts of the United States when sitting in a State, and to require them to apply to the clerk of the Supreme Court for a writ of error, and to a justice of the Supreme Court to sign the citation and approve the bond, when these duties could be more conveniently performed by the clerk and a judge of the court of the Territory".<sup>17</sup> Any other construction

<sup>16</sup> 46 U. S. 213, at 214.

<sup>17</sup> 46 U. S. 210, at 212.



would, in effect, be equivalent to an absolute denial of the right of writ of error, because of the long period necessary to send the requisite documents to, and receive them from, the national capital. Expediency was to be one of the factors in interpreting acts of Congress relative to the judicial organization in the Territory of Iowa.

Having denied the motion to dismiss the writ of error, the Supreme Court placed the action upon its docket and the case reached final adjudication during the January term, 1848.<sup>18</sup> The case was an important one for it involved the validity of a statute of the Territory of Iowa concerning the time for filing of records with the Supreme Court of the Territory. It is a settled principle, Chief Justice Mason of the Territorial Supreme Court held in substance, in upholding the validity of the statute, that no bill of exceptions is valid which is not for matter excepted to at the trial.

In an earlier case, similar to the one under consideration, the court said: "We do not mean to say that it is necessary, (and in point of practice we know it to be otherwise,) that the bill of exceptions should be formally drawn and signed before the trial is at an end. It will be sufficient, if the exception be taken at the trial, and noted by the Court, with requisite certainty; and it may, afterwards, during the term, according to the rules of the Court, be reduced to form, and signed by the judge".<sup>19</sup>

Substantially this same argument was relied upon by the Supreme Court of the United States in upholding the decision of the Territorial Court. A two year lapse between the first trial and the attempt to secure the bill of exceptions could not be justified under the rule providing for the signing of a bill of exceptions *nunc pro tunc*. Expediency

<sup>18</sup> Sheppard v. Wilson, 47 U. S. 260.

<sup>19</sup> Walton v. United States, 22 U. S. 651, at 657, 658.



again argued in favor of the validity of judicial processes in the Territory of Iowa.

The inhabitants of the Territory were given protection from arbitrary judicial rules laid down by Congressional action, through the doctrine, enunciated in the case of *Webster v. Reid*,<sup>20</sup> and repeatedly affirmed by the Supreme Court, that Congress, when legislating upon the civil rights of inhabitants of the Territories, is governed by all those express and implied limitations which rest upon it when dealing with the same subjects within the States.<sup>21</sup> Right of trial by jury for the determination of matters of fact and personal notice before trial are both guaranteed to citizens of our Territories as a result of the decision of Justice John McLean in this case.

No provision was made by Congressional action for the trial of cases pending and unfinished at the time Iowa changed from a Territory to a State, if they belonged solely to the State courts after the admission of Iowa into the Union. Such cases seem to have been left to be provided for by State authorities.<sup>22</sup> This position was justified upon the grounds that the appellate power of the Supreme Court regarding Territorial cases rested not upon the Judiciary Act of 1789 but upon laws regulating the judicial proceedings in the Territories, and these powers necessarily ceased with the termination of the Territorial government.

Besides, after the termination of the Territorial government, there existed no court to which the mandate of the Supreme Court of the United States could be sent to carry into effect the judgment of the Federal tribunal. "Our power, therefore, would be incomplete and ineffectual,

<sup>20</sup> 52 U. S. 437.

<sup>21</sup> This doctrine was also supported in *Scott v. Sandford*, 60 U. S. 393; *Reynolds v. United States*, 98 U. S. 145; and others there cited.

<sup>22</sup> *Benner v. Porter*, 50 U. S. 235.

were we to consent to a review of the case'', stated Justice Samuel Nelson on behalf of the Court.<sup>23</sup>

This doctrine is again stated by the Court in the case of *Preston et al. v. Bracken*,<sup>24</sup> decided at the December, 1850, term. These two cases bring out the point that when the Territories attained the position of States in the Union they were to assume the responsibilities of that position as well as to reap the benefits which might be derived from such action. The Federal Court would then decide cases dealing with Federal questions, but would leave the States to make provision for the final adjudication of cases involving local matters.<sup>25</sup>

#### JURISDICTION OF THE FEDERAL SUPREME COURT

The Federal government possesses only those powers which are expressly granted to it, or are necessary to carry into execution the powers granted by the Constitution. On the other hand, the States possess that great field of "residuary" powers: that is, all the powers of government not expressly granted to the Federal government by the Constitution nor denied by that instrument to the States. Since the adoption of the Constitution this field of powers has been greatly reduced by several factors: (1) State Constitutions have restricted State legislatures in the performance of certain acts; (2) the extension of the theory of "implied powers" has increased the power of the Federal government at the expense of the States; (3) the doctrine of judicial review has allowed the United States, through its own courts, to determine whether specific acts of the States are in conflict with Federal powers; (4) Constitutional amendments have increased the centralizing

<sup>23</sup> *McNulty v. Batty*, 51 U. S. 72, at 79.

<sup>24</sup> 51 U. S. 81.

<sup>25</sup> *Preston v. Bracken*, 51 U. S. 81.



power of the national government; and (5) the economic and social changes of the last generation have forced an extension of power upon the Federal government by creating national problems of increasing importance upon which the States, individually, are unable to legislate effectively.<sup>26</sup>

The Constitution and the laws of the United States made in pursuance thereof and all treaties made under the authority of the United States are declared to be the supreme law of the land; and the judges of every State are to be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.<sup>27</sup>

It is essential to the protection of the national jurisdiction and to prevent conflicts between State and Federal authorities, that the final decision upon all questions arising over such conflict of authorities should rest with the Federal courts. The Judiciary Act of 1789 provided for the appeal of certain cases to the Supreme Court of the United States after final judgment or decree had been rendered in the proper State court.

Such appeals may be taken in the following types of cases: (1) if the validity of a treaty, a Federal law, or the exercise of authority under the United States government is drawn in question and the decision of the State court is against their validity; (2) if the validity of a State statute or the exercise of authority under any State law is questioned on the ground that such law or exercise of authority is repugnant to the Federal Constitution, treaties, or laws of the United States, and the decision is in favor of their validity; (3) if any title, right, privilege, or immunity is

<sup>26</sup> Beard's *American Government and Politics* (Fifth edition), Ch. 23, contains an excellent interpretation of this phase of constitutional development in the United States. See also Ogg and Ray's *Introduction to American Government* (Third edition), Ch. 10; Wilson's *Constitutional Government in the United States*, Ch. 7; Burdick's *The Law of the American Constitution*, Ch. 19.

<sup>27</sup> United States Constitution, Article VI, Sec. 2.



claimed under the Federal Constitution or any treaty or statute of the United States or commission held or authority exercised under the United States government, and the decision is against the title, right, privilege, or immunity specially set up or claimed by either party under such Constitution, treaty, statute, commission, or authority;<sup>28</sup> (4) if it is claimed that the case should have been tried originally in a Federal court, and the transfer to the Federal court has been refused by the State court.

But to authorize the removal of cases under this section of the Judiciary Act, it must appear by the record, expressly or by clear intendment, that one of these questions arose in the State court and was passed upon there. "We have repeatedly decided that an appeal to the jurisdiction of this court must not be a mere afterthought, and that if any right, privilege or immunity is asserted under the Constitution or laws of the United States it must be specially set up and claimed before the final adjudication of the case in the court from which the appeal is sought to be maintained."<sup>29</sup> It is not sufficient that the question might have arisen or have been applicable.<sup>30</sup>

Chief Justice Melville W. Fuller, in granting a motion to dismiss, for want of jurisdiction, the case of the First National Bank *v.* Estherville, decided in 1910, declared: "In order to give this court jurisdiction of a writ of error to the highest court of a State in which a decision could be had it must appear affirmatively that a Federal question was presented for decision, that its decision was necessary to the determination of the cause, and that it was actually

<sup>28</sup> *United States Statutes at Large*, Vol. I, pp. 85, 86, Vol. XIV, pp. 386, 387; *Revised Statutes of the United States*, 1878, Title XIII, Ch. 11.

<sup>29</sup> Justice Henry B. Brown speaking for the Court in the case of *Bolln v. Nebraska*, 176 U. S. 83, at 91.

<sup>30</sup> *Messenger v. Mason*, 77 U. S. 507; *First National Bank v. Estherville*, 215 U. S. 341.

decided or that the judgment rendered could not have been given without deciding it." He added: "If plaintiffs in error believed that the local statute was unconstitutional and invalid because of conflict with the Federal Constitution or statute, they could and should have said so, but the validity of the act was nowhere specifically drawn in question."<sup>31</sup>

The Federal Supreme Court has reserved to itself the right to decide in each case whether the Federal right was sufficiently alleged in the pleadings before the State courts, and it also maintains the right to determine, within certain limits, what constitutes a Federal question.<sup>32</sup>

Cases appealed from the Supreme Court of the State of Iowa have brought out the principle that a suit to recover usurious interest paid to a national bank presents a Federal question within the appellate jurisdiction of the Supreme Court, as granted to that body by the twenty-fifth section of the Judiciary Act of 1789 and subsequent

<sup>31</sup> 215 U. S. 341, at 346, 348. In an early case from this State the Court severely criticised counsels for appealing many cases, saying: "Much expense to suitors would be spared if counsel would attend to the principle above stated, and as we have said, frequently laid down, before advising their clients to resort to the appellate jurisdiction of this court from the decisions of the State courts."—*Hurley v. Street*, 81 U. S. 85, at 86, 87.

Other cases dismissed because they did not conform to the stated classes of appeals were: *Berger v. Tracy*, 215 U. S. 594 — no Federal question presented prior to petition for writ of error; *Gray v. Coan*, 154 U. S. 589; *Moreland v. Page*, 61 U. S. 522; *Railroad Co. v. McClure*, 77 U. S. 511 — question of the validity of county bonds is not of Federal jurisdiction; *Railroad Co. v. Rock*, 71 U. S. 177; *Iowa v. Rood*, 187 U. S. 87; *McLaughlin Brothers v. Hallowell*, 228 U. S. 278; *Wall et al. v. Bankers Life Co.*, 282 U. S. 808; *Bevins v. Iowa*, 282 U. S. 815; *Loftus v. Iowa*, 283 U. S. 809. In *Moreland v. Page* the Court said: "The record does not show that it draws in question any treaty, statute, or authority, exercised under the United States; or the validity of any State statute, for repugnancy to the Constitution of the United States; or the construction of any clause of the Constitution; or of a treaty or statute commission held under the United States. It is a mere question of boundary between two neighbors, both admitted to have valid grants from the United States."

<sup>32</sup> *First National Bank v. Anderson*, 269 U. S. 341.



amendments thereto.<sup>33</sup> Furthermore, action brought against a State Board of Equalization to relieve a national bank from an alleged excessive rate of taxation presents a Federal question in so far as appellate jurisdiction of the Supreme Court of the United States is concerned.<sup>34</sup> A Federal question arose, it was decided, when a promissory note, to be paid *in specie*, was not paid in gold or silver at the demand of the payee, but "greenbacks" instead were offered by the payer in settlement of the note.<sup>35</sup>

When the right of removal of a cause from a State court to a Circuit Court of the United States was denied by the State court, this denial, it was held, raised a Federal question within the jurisdiction of the Supreme Court of the United States.<sup>36</sup> Again, when it was claimed in the State court that contracts had been rendered void by acts of Congress and the decision of the Supreme Court of Iowa denied this claim, the Supreme Court of the United States held that it had appellate jurisdiction under the Judiciary Act of 1789.<sup>37</sup>

In one case a United States marshal was prosecuted for trespass and defended himself upon the grounds that the acts complained of were performed by him under writ of attachment from the proper Federal authorities. The final

<sup>33</sup> Talbot *v.* Sioux City First National Bank, 185 U. S. 172; Talbot *v.* Sioux National Bank, 185 U. S. 182.

<sup>34</sup> Davenport Bank *v.* Davenport Board of Equalization, 123 U. S. 83.

<sup>35</sup> In Trebilcock *v.* Wilson *et ux.* (1871), 79 U. S. 687, the Iowa Supreme Court held that Greenbacks were specie within the meaning of the note, but the Supreme Court of the United States reversed the State Court's decision, thus holding that specie meant gold or silver coins of the United States. "Where a note is for dollars, payable by its terms, *in specie*, the term 'in specie' are merely descriptive of the kind of dollars in which the note is payable, there being more than one kind of dollars current recognized by law; and mean that the designated number of dollars shall be paid in so many gold or silver dollars of the coinage of the United States."

<sup>36</sup> Oakley *v.* Goodnow, 118 U. S. 43.

<sup>37</sup> Railroad *v.* Richmond, 82 U. S. 3.



decision of the State court was against such claim, but the Federal Supreme Court ruled that the case presented a Federal question and held that it had appellate jurisdiction.<sup>38</sup>

On the other hand, where a case arose between two parties, both having valid land grants from the United States, the United States Supreme Court has ruled that no Federal question was presented, since the settlement of the boundary line between land owners was a matter for the State courts to decide.<sup>39</sup> In another case the Supreme Court of Iowa decided that county bonds held by a railroad were void, and an appeal was taken to the Supreme Court of the United States. That Court ruled that it possessed no appellate jurisdiction under the Judiciary Act of 1789, since such a question was not of a Federal nature and was a matter of State concern only.<sup>40</sup> The question as to what time a cause of action accrues in a case, within the meaning of the statute of limitations of Iowa, is not a Federal question, according to a decision of the Federal court, but a local issue upon which the judgment of the highest court of the State can not be reviewed by the Supreme Court of the United States.<sup>41</sup>

*Full Faith and Credit.*—In several instances cases were appealed from the Iowa Court upon the grounds that “full faith and credit” had not been given to the judicial proceedings of another State by the decision of the Iowa Supreme Court. This contention, the Supreme Court of the United States maintained in the case of *Great Western Telegraph Company v. Purdy*, raises a Federal question within the meaning of the twenty-fifth section of the Judi-

<sup>38</sup> *Etheridge v. Sperry*, 139 U. S. 266.

<sup>39</sup> *Moreland v. Page*, 61 U. S. 522; *Iowa v. Rood*, 187 U. S. 87.

<sup>40</sup> *Railroad Co. v. McClure*, 77 U. S. 511; *Railroad Co. v. Rock*, 71 U. S. 177.

<sup>41</sup> *Great Western Telegraph Co. v. Purdy*, 162 U. S. 329.

ciary Act of 1789 and its amended sections. Though the Court held it had jurisdiction it reserved the right to define "full faith and credit".<sup>42</sup>

The "full faith and credit" clause regulates the attributes and qualities which judicial proceedings and records of one State shall have when offered in evidence in the courts of another State and implies that they shall be given the same effect in the courts of another State as they have by laws and usages at home. This provision, however, and the laws giving it effect establish a rule of evidence, and not of jurisdiction; they do not operate to make records and judgments legally effective for all purposes but only to give them a general validity and credit as evidence.<sup>43</sup>

There is no direct constitutional limitation nor any clause in the Constitution from which it can plausibly be inferred that a State may not legislate upon the remedy in suits upon the judgments of other States. It has been settled that the statute of limitations in one State may bar recoveries upon foreign judgments — that the effect intended to be given under our Constitution to judgments is that they are conclusive only as regard the merits. The Common Law principle then applies to suits upon them, that they must be brought within the time prescribed by the local law, the *lex fori*, or the suit will be barred.<sup>44</sup>

Justice Henry B. Brown, speaking for the United States Court in the case of *Johnson v. New York Life Insurance Company*, said: "The Supreme court of Iowa did not fail to give due faith and credit to the notice law of New York, since it was fully considered, and the decision of the state

<sup>42</sup> 162 U. S. 329, at 335.

<sup>43</sup> Cooley's *Constitutional Limitations* (Seventh edition), pp. 38-41; *Dull v. Blackman*, 169 U. S. 243.

<sup>44</sup> *Great Western Telegraph Co. v. Purdy*, 162 U. S. 329. See also *Alabama State Bank v. Dalton*, 50 U. S. 522, at 528; and *Christmas v. Russell*, 72 U. S. 290, at 301.



courts of New York were called to its attention and cited in its opinion. . . . Whether the Supreme Court of Iowa was correct in its construction of the applicability of the New York notice statute to this policy was immaterial, since it did not deny the full faith and credit due to the New York law, but construed it as not applying to the policy in this case."<sup>45</sup>

*Diversity of Citizenship.*—In at least two instances petitioners at the bar took advantage of the constitutional provision granting the Supreme Court of the United States appellate jurisdiction over cases involving a controversy between citizens of different States. In both actions the decision of the Supreme Court of the State of Iowa was sustained.<sup>46</sup>

*Moot Questions.*<sup>47</sup>—Prior to the passage of the Eighteenth Amendment, prohibition in Iowa placed several cases upon the docket of the Supreme Court of the United States. These cases resulted, for the most part, in decisions favoring the local statute, but the opponents of the law persisted in taking cases to the Federal courts for the purpose of testing the statutes of Iowa. The following case illustrates the situation.

A man named Bartemeyer was convicted in the circuit court of the State of Iowa of selling liquor in violation of a State law. The defendant alleged that the State law was in violation of the Fourteenth Amendment, but the Supreme Court of the State upheld the decision of the circuit court.

<sup>45</sup> 187 U. S. 491, at 495, 496.

<sup>46</sup> *Beeson v. Johns*, 124 U. S. 56; *Iowa Central Railway Co. v. Bacon*, 236 U. S. 305. See also note 36.

<sup>47</sup> Other sections of the Constitution giving the Supreme Court certain appellate jurisdiction are discussed under the various headings according to the general principles rather than as rules of appeal.



Thus a Federal question was raised and an appeal was effected to the Supreme Court of the United States. When the case was before that Court, the following principle of practice was laid down by Justice Samuel F. Miller on behalf of the Court:

“The defendant, from his first appearance before the justice of the peace to his final argument in the Supreme Court, asserted in the record in various forms that the statute under which he was prosecuted was in violation of the Constitution of the United States. The act of the prosecuting attorney, under these circumstances, in going to trial without any replication or denial of the plea, which was intended manifestly to raise that question, but which carried on its face the strongest probability of falsehood, satisfies us that a moot case was deliberately made up to raise the particular point when the *real* facts of the case would not have done so. As the Supreme Court of Iowa did not consider this question as raised by the record, and passed no opinion on it, we do not feel at liberty, under all the circumstances, to pass on it on this record.”<sup>48</sup>

One other case bearing upon this aspect of the appellate jurisdiction of the Federal tribunal was appealed from the Iowa Supreme Court. This was the case of *Hamblin v. Western Land Company*<sup>49</sup> in which the United States Court held that a real and not a fictitious Federal question was essential to the jurisdiction of the Supreme Court of the United States over the judgments of the State courts. “There must be at least color of ground for the averment of a Federal question in a case brought here by writ of error to the highest court of a State, in order to give this court jurisdiction”, said Justice Brown, in delivering the opinion of the Court.<sup>50</sup>

<sup>48</sup> *Bartemeyer v. Iowa*, 85 U. S. 129, at 135.

<sup>49</sup> 147 U. S. 531.

<sup>50</sup> 147 U. S. 531, at 532.

*Rules Fixed by the United States Supreme Court.*—A few fundamental principles of practice before the Supreme Court of the United States may be secured from a study of the cases appealed from the Supreme Court of Iowa.

The doctrine set up in the case of *Miners' Bank v. United States*, previously referred to, that in order to effect an appeal to the Federal Supreme Court the judgment of the State Court must be a final adjudication, was repeated by the United States Supreme Court in the case of *Chicago, Great Western Railroad Company v. Basham*, decided at the October term, 1918.<sup>51</sup> This case dealt with the Federal Employer's Liability Act, Section 237 of the Judicial Code, and the denial by the State Court of the rights and immunities claimed under this act. The appeal was instigated by a motion to allow a writ of error to be issued to the Supreme Court of the State of Iowa, but the Court dismissed the motion upon the ground that appeal from a State Supreme Court, which had denied privileges and immunities claimed under the Federal Employer's Liability Act, could be effected only by writ of certiorari.<sup>52</sup> There were four

<sup>51</sup> 249 U. S. 164.

<sup>52</sup> *United States Statutes at Large*, Vol. XXXV, p. 65, Ch. 149, as amended by the act of September 6, 1912.—*United States Statutes at Large*, Vol. XXXIX, p. 726, Ch. 448, Sec. 2. The amended section, upon which the Court relied for this technicality, reads as follows: "It shall be competent for the Supreme Court, by certiorari or otherwise, to require that there be certified to it for review and determination with the same power and authority and with like effect as if brought up by writ of error, any cause wherein a final judgment or decree has been rendered or passed by the highest court of a State in which a decision could be had, where is drawn in question the validity of a treaty or statute of, or an authority exercised under the United States, and the decision is in favor of their validity; or where is drawn in question the validity of a statute of, or authority exercised under any State, on the ground of their being repugnant to the Constitution, treaties, or laws of the United States, and the decision is against their validity; or where any title, right, privilege, or immunity is claimed under the Constitution, or any treaty or statute of, or commission held or authority exercised under the United States, and the decision is either in favor of or against the title, right, privilege, or immunity, especially set up or claimed, by either party, under such Constitution, treaty, statute, commission, or authority."



other instances in which appeals were made upon a writ of certiorari and in each case the writ was granted.<sup>53</sup>

Cases often crowd the docket of the Supreme Court of the United States in such numbers as to force the Court to fall far behind with its decisions. A large percentage of these cases are appealed upon purely technical grounds. In order to relieve the pressure thus placed upon the tribunal, an elaborate set of rules has been developed by that body. Cases arising in Iowa have encountered at least two of these regulations, all of the cases being dismissed. Ten cases were dismissed in pursuance of the rule of the Court (the tenth) which provides for the payment of the cost of printing the records,<sup>54</sup> while one case was dismissed upon

<sup>53</sup> (a) *Northwestern Union Packet Co. v. Home Insurance Co.*, 154 U. S. 588. A motion to dismiss a writ of error was upheld, but the order dismissing the case was rescinded and a writ of certiorari granted. The case was later decided, at the December term, 1872, as number 228, in favor of the decision of the Iowa Court.

(b) A petition for a writ of certiorari was granted in the case of *Neilsen v. Johnson*, 277 U. S. 583, at the October term, 1927. This case was finally disposed of the following year and resulted in a reversal of the Iowa decision.—279 U. S. 47.

(c) Petitions for writs of certiorari were granted in the cases of *Iowa-Des Moines National Bank v. Stewart*, 283 U. S. 813, and *Central State Bank v. Stewart*, 283 U. S. 813. These cases were argued and decided as one action during the October term of court, 1931. Mr. Justice Brandeis wrote the opinion reversing the Iowa Supreme Court's decision.

<sup>54</sup> The tenth rule (Section 2) of the Court reads as follows: "The clerk shall cause an estimate to be made of the cost of printing the record, and of his fee for preparing it for the printer and supervising the printing, and shall notify to the party docketing the case the amount of the estimate. If he shall not pay it within a reasonable time, the clerk shall notify the adverse party, and he may pay it. If neither party shall pay for it, and for want of such payment the record shall not have been printed when a case is reached in the regular call of the docket, after March 1, 1884, the case shall be dismissed." For these cases see the following: *Kitteringham v. Blair Town Lot and Land Co.*, 145 U. S. 643; *Dubuque and Sioux City Railroad Co. v. Snell*, 159 U. S. 252; *Tuttle v. Iowa State Traveling Men's Association*, 220 U. S. 628; *Brown v. Powers*, 226 U. S. 620; *Gustaveson v. State of Iowa*, 227 U. S. 681; *Hubbell v. Higgins*, 227 U. S. 684; *Jones v. Mould*, 231 U. S. 765; *Hamil v. Schiltz Brewing Co.*, 245 U. S. 676; *Simpson v. Board of Supervisors*, 255 U. S. 579.



the authority of the ninth rule which provides for the time given for docketing of cases.<sup>55</sup> Other cases have been dismissed by agreement, or upon failure of one party to appear before, or file briefs with, the Supreme Court of the United States. Twenty-one cases fall in this classification.<sup>56</sup>

*Stare Decisis.*—In eleven instances the Supreme Court relied solely upon a strict interpretation of the doctrine of *stare decisis* in disposing of appeals from the Supreme Court of the State of Iowa. In each case the court merely stated that the case was dismissed, or affirmed as the case might be, upon the authority of a number of cases cited. Four cases were affirmed, while seven were dismissed.<sup>57</sup>

#### CASES INVOLVING TREATIES OF THE UNITED STATES

One of the main motives behind the formation of our Federal Constitution was the desire to create an effective

<sup>55</sup> Coon Rapids National Bank *v.* Lee, 239 U. S. 659.

<sup>56</sup> Iowa Falls and Sioux City Ry. Co. *v.* Beck, 136 U. S. 639; Iowa Falls and Sioux City Ry. Co. *v.* Nichols, 136 U. S. 639; Iowa Falls and Sioux City Ry. Co. *v.* Wentworth, 136 U. S. 639; Leicht *v.* McLean, 136 U. S. 641; Bonn *v.* Thrasher, 140 U. S. 673; Florang *v.* Craig, 140 U. S. 680; Fuller *v.* American Emigrant Co., 149 U. S. 774; Omaha and Council Bluffs Railway Co. *v.* Smith, 166 U. S. 719; Scottish Union and National Insurance Co. *v.* Herriott, 187 U. S. 651; Chicago, Rock Island and Pacific Railroad Co. *v.* Mumford, 203 U. S. 601; Mengel *v.* Mengel, 218 U. S. 694; Chicago, Burlington and Quincy Railroad Co. *v.* Hamilton, 223 U. S. 743; Majestic Theater Co. *v.* Cedar Rapids, 232 U. S. 730; Illinois Central Railroad Co. *v.* Pelton, 239 U. S. 655; Judge and Bunting *v.* Powers, 241 U. S. 686; Hallagan *v.* Dowell, 246 U. S. 678; Interurban Railway Co. *v.* Mrs. Smith, 253 U. S. 499; Chicago, Rock Island and Pacific Railroad Co. *v.* Vander Zyl, 266 U. S. 636; Rowley *v.* Iowa, 269 U. S. 594; Royal Indemnity Co. *v.* Andrew, 281 U. S. 725.

<sup>57</sup> *Dismissed*: Olander *v.* Hollowell, 262 U. S. 731; Mengel *v.* Mengel, 227 U. S. 675; Chicago, Rock Island and Pacific Railroad Co. *v.* Bradbury, 223 U. S. 711; Cedar Rapids Water Co. *v.* City of Cedar Rapids, 199 U. S. 600; Wall *et al.* *v.* Bankers Life Co., 282 U. S. 808; Bevins *v.* Iowa, 282 U. S. 815; Loftus *v.* Iowa, 283 U. S. 815.

*Affirmed*: Minneapolis and St. Louis Railroad Co. *v.* Gano, 190 U. S. 557; Wrenn *v.* Iowa, 263 U. S. 688; Taylor *v.* Drainage District No. 56 of Emmet County, 244 U. S. 644; Burlington and Missouri River Railroad Co. *v.* Mills County, 154 U. S. 658.

instrument to deal with foreign relations. To convince other nations of our sincerity, it was necessary that some provision be made in that Constitution for the recognition of the binding force of treaties with foreign nations. As a result we have the provision that treaties made in pursuance of the Constitution are to be considered as the supreme law of the land and the States are forbidden to pass laws at variance with these treaties.

In the case of *Neilsen v. Johnson* it was held that the treaty-making power of this nation is independent of, and superior to, the legislative power of the States. Moreover, in ascertaining the meaning of a treaty, the courts are not restricted by the necessity of avoiding possible conflict with State legislation and the treaty may be very liberally construed. When once the meaning of a treaty provision is established by judicial decision such provision must prevail over inconsistent State enactments.<sup>58</sup> In fact, the Supreme Court of the United States has gone so far as to say that a treaty can totally annihilate any part of the Constitution of any of the individual States in so far as it is contrary to the treaty.<sup>59</sup>

In two cases reaching the Federal tribunal from the Iowa Supreme Court a law of the State of Iowa taxing inheritances of non-resident aliens higher than the inheritances of residents of the State was held not to be in conflict with a treaty with Denmark<sup>60</sup> even when the treaty was liberally interpreted. In both cases the person whose estate was being settled was a citizen of the United States and a resident of Iowa at the time of death.

<sup>58</sup> *Neilsen v. Johnson*, 279 U. S. 47.

<sup>59</sup> *Ware v. Hylton*, 3 U. S. 199, at 242, 243, Justice Samuel Chase, for the court.

<sup>60</sup> *United States Statutes at Large*, Vol. VIII, p. 340, as amended in *United States Statutes at Large*, Vol. XI, p. 719; *Petersen et al. v. Iowa*, 245 U. S. 170; *Duus v. Brown*, 245 U. S. 176.



CASES INVOLVING POWERS OF FEDERAL OFFICERS  
AND DEPARTMENTS

Federal supremacy is maintained not only through express limitations upon actions of the State and by explicit grants of power to Congress, but also through implied powers of the Federal government and by powers granted to Federal officers and departments.

If an officer of the Federal government is acting under orders from the proper legal authorities, he may properly rely upon these orders as a defence against State prosecution. If the decisions of the State courts are against this claim, the officer may appeal to the Federal courts.<sup>61</sup>

Protection of the authority of departments of the Federal government, by right of appeal to the Federal courts, is secured by acts of Congress granting to specific departments certain definite powers and duties. In the case of *Buena Vista County, Iowa v. Iowa Falls and Sioux City Railway Company* the power of the Secretary of the Interior to review acts of the Commissioner of the Land Office was interpreted to allow the Secretary to review and examine the selection of swamp lands in Iowa and to permit him to disallow any such selections.<sup>62</sup>

Judicial decisions have allowed an expansion of the powers of Federal officers not only by liberal interpretation of acts of Congress granting those powers, but also by laying down the principle that the Federal Land Office may interpret an act of Congress to the best of its ability. Such an interpretation is valid until overruled by a court decision. This rule, however, can not prevent a person from objecting to the interpretation of the act, nor prevent him from bringing suit to challenge the powers thus taken over.<sup>63</sup>

<sup>61</sup> *Etheridge v. Sperry*, 139 U. S. 266.

<sup>62</sup> 112 U. S. 165.

<sup>63</sup> *Buena Vista County v. Iowa Falls and Sioux City Railroad Co.*, 112 U. S. 165.



It is as essential to the maintenance of Federal supremacy that the organs and institutions set up by that government be free from destructive State legislation, as it is that Federal officers and departments shall not be hindered in the exercise of their powers by State enactments. This principle is illustrated in the case of *Easton v. Iowa*<sup>64</sup> which was appealed from the Iowa Supreme Court.

In 1899, James H. Easton, president of a national bank operating under Federal law, was found guilty in the District Court of Winneshiek County of having received a deposit when he knew that the bank was in an insolvent condition. He was sentenced to the penitentiary for five years. The Supreme Court of the United States, on appeal, held: (1) Congress, having the power to create a system of national banks, is judge as to the extent of the powers which should be conferred upon such banks, and has the sole power to regulate and control the exercise of their operations; (2) Congress had dealt with insolvency of national banks directly, by congressional action, and it was not competent for a State legislature to interfere with national banks or their officers in the exercise of those powers granted to them by Congress.

State legislatures are also forbidden to pass laws which burden or impede the credit of the United States. In *Home Savings Bank v. Des Moines* it was held that a statute of the State of Iowa directing that shares of stock of State banks should be assessed to such banks, and not to the individual shareholders, operated as a tax on the property of the bank, and, therefore, in so far as such property represented Federal securities, violated the immunity of such securities from State taxation.<sup>65</sup>

<sup>64</sup> 188 U. S. 220.

<sup>65</sup> *Home Savings Bank v. City of Des Moines*, 205 U. S. 503; *People's Savings Bank v. Des Moines*, 205 U. S. 503; *Des Moines Savings Bank v. Des Moines*, 205 U. S. 503.

But a tax levied upon shares of stock in the hands of their holders has been uniformly held not to be a tax upon the company nor a tax upon the corporate franchise.<sup>66</sup> It has also been consistently held that a State may tax the shares of a national bank in the hands of the shareholders, but they may not tax them at a higher rate "than is assessed upon other moneyed capital in the hands of individual citizens of such State." The equality in rate of taxation demanded in Section 5219 of the *Revised Statutes of the United States* is not, however, perfect equality. Rather, the section is to be construed as meaning that the system of taxation in a State shall not work a discrimination favorable to its own citizens and corporations and unfavorable to holders of shares in national banks.<sup>67</sup>

#### CASES INVOLVING INTERSTATE COMMERCE

In one of his decisions Chief Justice Marshall wrote: "The oppressed and degraded state of commerce previous to the adoption of the constitution can scarcely be forgotten. It was regulated by foreign nations with a single view to their own interests; and our disunited efforts to counteract their restrictions were rendered impotent by want of combination. Congress, indeed, possessed the power of making treaties; but the inability of the federal government to enforce them had become so apparent as to render that power in a great degree useless. Those who felt the injury arising from this state of things, and those who were capable of estimating the influence of commerce on the prosperity of nations, perceived the necessity of giving the control over this important subject to a single government. It may be doubted whether any of the evils proceeding from

<sup>66</sup> Van Allen *v.* Assessors, 70 U. S. 573; Palmer *v.* McMahon, 133 U. S. 660.

<sup>67</sup> Des Moines National Bank *v.* Fairweather, 263 U. S. 103; First National Bank *v.* Anderson, 269 U. S. 341; *Revised Statutes of the United States*, Sec. 5219; Davenport Bank *v.* Davenport Board of Equalization, 123 U. S. 83.



the feebleness of the federal government, contributed more to the great revolution which introduced the present system, than the deep and general conviction, that commerce ought to be regulated by Congress.”<sup>68</sup>

Because of the fact that the Constitution nowhere gives a definition of the term “commerce”, it has been left to the judicial branch of the government to determine, by a process of inclusion and exclusion, just what the term really means.

Chief Justice Marshall defined the term as “commercial intercourse between nations, and the parts of nations, in all its branches”.<sup>69</sup> By 1903 the term had been interpreted to mean traffic, intercourse, trade, navigation, communication, the transportation of persons, and the transmission of messages by telegraph — indeed, every specie of commercial intercourse.<sup>70</sup>

Navigation is an important part of commerce. All navigable waters are the property of the nation as a whole and not of a single State. Navigable streams used for interstate commerce are under the control of Congress by a grant of power in Article I, Section 3, of the Federal Constitution. Congress possesses the power to regulate these waters only in so far as they are used for interstate or foreign commerce as this use may be threatened by State or private action.

Admiralty jurisdiction must be distinguished from the jurisdiction secured under the commerce clause. Since the decision in the case of the *Genesee Chief*, 53 U. S. 443, it has been an established principle that Federal jurisdiction extends to all navigable waters of the nation whether they be used for interstate commerce or not. But this means

<sup>68</sup> Chief Justice Marshall, in *Brown v. Maryland*, 25 U. S. 419, at 445, 446.

<sup>69</sup> *Gibbons v. Ogden*, 22 U. S. 1, at 189, 190.

<sup>70</sup> *Lottery Cases*, 188 U. S. 321; Willoughby's *The Constitutional Law of the United States*, Vol. II, Secs. 289-292.



that such jurisdiction extends only in so far as the law of the sea is applicable. So it has been held that in no case may a State court entertain a suit in the nature of an admiralty proceeding, that is, proceedings *in rem* against a vessel.<sup>71</sup>

The city of Keokuk, Iowa, was given the power, by an act of the General Assembly of the State, to construct wharves on the Mississippi River, an artery of interstate trade, and power to fix rates of landing and wharfage of all vessels using this service. A packet company, operating a line of vessels using the city's wharves, objected to paying a tax laid upon them in proportion to the tonnage of the vessels, upon the grounds that such action was a regulation of interstate commerce over which the State had no control. But this contention was overruled by the Supreme Court of the United States in affirming the decision of the State Court.<sup>72</sup>

Having drawn the line between the admiralty jurisdiction of the Federal government and the commerce power of Congress, we may turn to other fields which have been excluded from the term commerce as used in the Federal Constitution. Insurance policies are not a part of commerce within the comprehension of the commerce clause of the Constitution.<sup>73</sup> Neither is manufacturing a part of commerce.<sup>74</sup>

To what extent may a State pass legislation affecting interstate commerce and still not invade the power granted

<sup>71</sup> The *Hine v. Trevor*, 71 U. S. 555.

<sup>72</sup> *Packet Co. v. Keokuk*, 95 U. S. 80.

<sup>73</sup> *Paul v. Virginia*, 75 U. S. 168. There were but two cases appealed from the Iowa Supreme Court by insurance companies. One relied upon full faith and credit, but its petition for a writ of error was denied (*Johnson v. New York Life Insurance Co.*, 187 U. S. 491). The action in *Scottish Union and National Insurance Co. v. Herriott*, 187 U. S. 651, was dismissed, per stipulation, upon motion for the insurance company.

<sup>74</sup> *Kidd v. Pearson*, 128 U. S. 1.

to Congress? The power to regulate commerce among the several States was vested in Congress in order to secure equality and freedom in commercial intercourse.<sup>75</sup>

A State may regulate the extent to which a common carrier may by contract relieve itself of its Common Law liabilities. In *Chicago, Milwaukee and St. Paul Railway Company v. Solan*, decided in January, 1898, it was held that such a State statute was valid even as applied to interstate commerce.<sup>76</sup> But on June 29, 1906, Congress passed the Hepburn Act which established a uniform rule of liability. Such action upon the part of the Federal government, in a field in which it was explicitly granted power to regulate, naturally superseded all State legislation.<sup>77</sup>

In the early case of *Kidd v. Pearson* (1888) it was held that a statute of a State which provided: (1) that foreign intoxicating liquors could be imported into the State, and there kept for sale by the importer in the original packages, or for transportation in such packages and sale beyond the limits of the States; and (2) that intoxicating liquors might be manufactured and sold in the State for mechanical, medicinal, culinary, and sacramental purposes, but for no others, not even for the purposes of transportation beyond the limits of the State, did not conflict with Article I, Section eight, of the Constitution of the United States by undertaking to regulate commerce among the States. But if such a statute prohibited the importation in the original package of liquors, the Court ruled, it was void as conflicting with the Federal Constitution.<sup>78</sup>

<sup>75</sup> *Railroad Co. v. Richmond* (1873), 86 U. S. 584.

<sup>76</sup> *Chicago, Milwaukee and St. Paul Railroad Co. v. Solan*, 169 U. S. 133; *Chicago, Burlington and Quincy Railroad Co. v. McGuire*, 219 U. S. 549.

<sup>77</sup> *Chicago, Rock Island and Pacific Railroad Co. v. Cramer*, 232 U. S. 490.

<sup>78</sup> *Kidd v. Pearson* (1888), 128 U. S. 1; *Leisy v. Hardin* (1897), 135 U. S. 100; *Rhodes v. Iowa*, 170 U. S. 412; *American Express Co. v. Iowa* (1904), 196 U. S. 133; *Adams Express Co. v. Iowa* (1904), 196 U. S. 147.



“The term original package is not defined by statute”, held Justice Brown in the case of *Cook v. Marshall County*, Iowa, and while it may be impossible to determine its size or shape judicially, under the principle upon which its exemption is founded, the term does not include packages which can not “be commercially transported from one State to another.” The original package doctrine has been expanded to include the usual method of transporting goods. It has been held that “where a party, in transporting goods from one State to another, selects an unusual method for the express purpose of evading or defying the police laws of the latter State the commerce clause of the Federal Constitution cannot be invoked as a cover for fraudulent dealing.”<sup>79</sup>

In 1890 Congress passed what was known as the Wilson Bill.<sup>80</sup> Its purpose was to assist States with prohibitory laws and communities with prohibition by local option by making intoxicating liquor subject to State law “upon its arrival”. In a later case the United States Supreme Court

<sup>79</sup> *Cook v. Marshall County*, Iowa, 196 U. S. 261, at 270, 271. In *Leisy v. Hardin*, quarter barrels, and even one-eighth barrels, and cases of beer were recognized as original packages, while in *Schollenberger v. Pennsylvania*, 171 U. S. 1, oleomargarine transported and sold in packages of ten pounds weight was considered to be an original package, but in *Cook v. Marshall County*, Iowa, 196 U. S. 261, it was held that cigarettes shipped in small packages, as sold over the counter, loose and not tied in bundles or in cartons, could not be considered original packages within the meaning of that term as judicially interpreted. This was similar to the ruling in *Austin v. Tennessee*, 179 U. S. 343.

<sup>80</sup> This bill was introduced by Senator James F. Wilson of Iowa. All “fermented, distilled, or other intoxicating liquors or liquids transported into any State or Territory or remaining therein for use, consumption, sale or storage therein, shall upon arrival in such State or Territory be subject to the operation and effect of the laws of such State or Territory enacted in the exercise of its police powers, to the same extent and in the same manner as though such liquids or liquors had been produced in such State or Territory, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.”—*United States Statutes at Large*, Vol. XXVI, Ch. 728, p. 313. This law was passed just after the decision in the case of *Leisy v. Hardin*, 135 U. S. 100.

ruled that the goods had not actually arrived until they had been delivered to the consignee, or at any rate until the carrier ceased to hold the goods as a carrier. In line with this reasoning the Court held that moving goods in the station from the platform, on which they were first put upon arrival, to the freight house, was a part of interstate commerce transportation, and goods in such a position were not subject to State regulations.<sup>81</sup>

In the case of *Chicago, Milwaukee and St. Paul Ry. Co. v. Iowa*<sup>82</sup> it was held that the Supreme Court could not, at the instance of the carrier, hold void as interfering with interstate commerce, an order of the State Railway Commission requiring the carrier to forward interstate shipments, after receipt, to intrastate points, in the same equipment, because the cars were vehicles of interstate commerce.

A requirement that rates of fare and freight shall be fixed annually and published is legitimate as an exercise of the police power and it is not, it has been decided, an interference with interstate commerce.<sup>83</sup>

In summing up this section, it is evident from an examination of even such a limited number of cases as arise on direct appeals from the Supreme Court of a single State to the Supreme Court of the United States, that there exists a very close relationship between commerce regulations and the police power of the States.

The State may enact measures under the police power, even though such measures may affect foreign and interstate commerce, subject to the following rules: (1) every measure of State legislation, however legitimate in itself, yields to positive regulations of interstate commerce or

<sup>81</sup> *Rhodes v. Iowa*, 170 U. S. 412.

<sup>82</sup> 233 U. S. 334.

<sup>83</sup> *Chicago and Northwestern Railroad Co. v. Fuller*, 154 U. S. 595, citing *Railroad Co. v. Fuller*, 84 U. S. 560.



foreign commerce by acts of Congress; (2) State statutes discriminating against interstate or foreign commerce are void; (3) the Federal courts determine whether an article is a lawful article of commerce or not; determination by the State judiciary is neither sufficient nor conclusive; (4) a State may not, by statutory enactment, or otherwise, place a burden upon interstate or foreign commerce.

#### CASES INVOLVING PUBLIC LANDS

In fifty-four cases appealed to the Supreme Court of the United States from the Iowa Supreme Court some dispute over public lands was directly involved. A large percentage of these cases rested upon purely technical grounds, but it is strikingly significant that one-third of the entire appeals from the Iowa tribunal were connected with this problem.

The complexity of the factors involved in the title to the lands in Iowa has been the cause of this large amount of litigation. All claims of foreign governments to the land in what is now Iowa were extinguished by the Louisiana Purchase,<sup>84</sup> but this treaty with France did not extinguish the title the Indians held to the Iowa country. Several Indian treaties further complicated the situation by drafting and re-drafting the Indian boundary lines, and it was not until August 5, 1851, that the control of the lands in Iowa was finally relinquished by the Sioux Indians—the last red men to cede their lands in Iowa.<sup>85</sup> Other complicating factors in the situation were the land grants from the Spanish government, the extensive grants-in-aid to railroads in Iowa, the swamp land grants to the State by the

<sup>84</sup> *United States Statutes at Large*, Vol. VIII, p. 202.

<sup>85</sup> *United States Statutes at Large*, Vol. X, pp. 949, 954. William J. Petersen has a survey of the extinction of the Indian title to Iowa in an article entitled *Some Beginnings in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVIII, pp. 1-54, especially pp. 6-11.

Federal government, and the homestead grants made by the Federal government to the early settlers in the country. These factors were involved in litigation from the first case appealed, that of *Levi v. Thompson*,<sup>86</sup> decided in 1846, to the case of *Logan v. Davis*,<sup>87</sup> decided at the October term of the United States Supreme Court in 1913.

In the case of *Marsh et al. v. Brooks et al.*, decided in 1850, the Supreme Court of the United States said: "The patent of 1839, was, *prima facie*, a conclusive title; but by the treaty of 1824, with the Sac and Fox Indians, the land in dispute was admitted by the United States to lie within the territory ceded by the treaty; and the Indian title, such as it was before the treaty, is reserved to the half-breeds. This Indian title consisted of the usufruct and right of occupancy and enjoyment; and, so long as it continued, was superior to and excluded those claiming the reserved lands by patents made subsequent to the ratification of the treaty; they could not disturb the occupants under the Indian title."<sup>88</sup>

In another case decided the same year, the Supreme Court of the United States held that "where the legislature of the Territory of Iowa directed that suits might be instituted against 'the Owners of the Half-breed Lands lying in Lee County,' notice thereof being given through the newspapers, and judgments were recovered in suits so instituted, these judgments were nullities."<sup>89</sup>

The Supreme Court of the United States has held, in substance, that "although the fee to Indian lands is in the United States, and, therefore, that the Indians are not able to grant titles to the same which will be recognized in the

<sup>86</sup> 45 U. S. 17 (1846).

<sup>87</sup> 233 U. S. 613 (1913).

<sup>88</sup> 49 U. S. 223, at 232. The decision was by Justice John Catron.

<sup>89</sup> *Webster v. Reid*, 52 U. S. 437, at 437.



courts of the United States, nevertheless these Indians have certain possessory rights from which they may be dispossessed by the United States only with their consent, and upon compensation therefor.”<sup>90</sup>

Four years after the treaties of Traverse des Sioux and Mendota, whereby the Sioux Indians agreed to withdraw from Iowa, the first railroads entered Iowa. Popular enthusiasm and the need for rapid transportation facilities resulted in many petitions to Congress asking that extensive grants-in-aid of railroads be made to the State. Out of these grants many causes of litigation arose.

The grants of land made to Iowa to aid in the construction of railroads were *in praesenti*, that is, the title to the land, specified in the act of Congress granting the land, was vested in the State when the line of the proposed road should have been definitely fixed.<sup>91</sup> In order that the railroads would be really aided by these grants of land, Congress provided that one hundred and twenty sections of land might be sold in advance of the construction of any part of the proposed road. Other land along the road could be acquired only as designated portions of the railroad were completed.<sup>92</sup>

The fact that a railroad company had surveyed and staked a line upon the ground did not operate to conclude the title to the land: it was necessary that a survey of this proposed line be filed with the Federal government before a patent to the land could be granted.<sup>93</sup> Furthermore, when

<sup>90</sup> Willoughby's *The Constitutional Law of the United States*, Vol. I, p. 400.

<sup>91</sup> *Grinnell v. Railroad Co.*, 103 U. S. 739; *Iowa Railroad Land Co. v. Blumer*, 206 U. S. 482; *Sioux City and Iowa Falls Town Lot and Land Co. v. Griffey*, 143 U. S. 32.

<sup>92</sup> *United States Statutes at Large*, Vol. XI, p. 9, as amended in *United States Statutes at Large*, Vol. XIII, p. 95; *Railroad Land Co. v. Courtright*, 88 U. S. 310.

<sup>93</sup> *Sioux City and Iowa Falls Town Lots and Land Co. v. Griffey*, 143 U. S. 32.

the proposed line of a land grant railroad did not satisfy the terms of the granting act, the Land Department could consider such a line as temporary and provisional.<sup>94</sup>

When a corporation receiving the grant-in-aid failed to complete its proposed line, all lands not disposed of by that corporation and included in the original grant reverted to the State acting as a trustee for the United States. The State, in turn, certified this land back to the United States pursuant to a statute of the State of Iowa. All this land was then subject to entry under the preëmption and homestead laws.<sup>95</sup>

A Land Grant Adjustment Act was passed by Congress in 1887 to aid in straightening out the land title situation in the mid-western States. It was held in *Logan v. Davis* that a person was a purchaser in good faith within the meaning of this Adjustment Act if he was in actual ignorance of the defects in the railway company's title and if the transaction was an honest one on his part. The Court also held in this case that a "remedial statute is to be construed liberally so as to effectuate the purpose of the legislative body enacting it".<sup>96</sup>

A second factor complicating the land title situation in Iowa was that of the Federal Swamp Land Act of September 28, 1850, and subsequent amendments thereto.<sup>97</sup> In the first case in this connection reaching the Supreme Court of the United States from the Iowa tribunal, the Court held that the text of the act was clear and needed no interpretation by the Court.<sup>98</sup> There were, however, eight cases in-

<sup>94</sup> *Hamblin v. Western Land Company*, 147 U. S. 531.

<sup>95</sup> *Sioux City and St. Paul Railroad Co. v. Countryman*, 159 U. S. 377; *Laws of Iowa*, 1884, Ch. 71, 1882, Ch. 107.

<sup>96</sup> 233 U. S. 613, at 614.

<sup>97</sup> *United States Statutes at Large*, Vol. IX, p. 519, Vol. X, p. 634, Vol. XI, p. 251.

<sup>98</sup> *Railroad Company v. Fremont County*, 76 U. S. 89.



volving titles based upon these acts after this decision was handed down in 1869 and these acts continued to be causes of court action until as late as 1913.<sup>99</sup>

The swamp and overflowed lands granted to the State of Iowa were subject to disposal by the State.<sup>100</sup> By an act of the General Assembly of the State of Iowa, these lands were granted to the counties in which such lands were situated. No party other than the United States could question this disposal or enforce the conditions of the grant, because the obligations imposed rested, for their fulfillment, upon the good faith of the State of Iowa.<sup>101</sup>

But the United States government did reserve the right to examine, through the Secretary of the Interior, into the selection of swamp lands in Iowa. Furthermore, this officer was given power to allow or disallow selections made by the State. His decision, however, did not prevent a person from objecting, in the courts, to the selection made.<sup>102</sup>

In the case of *Rogers Locomotive Machine Works v. American Emigrant Company* the Supreme Court held that when the Secretary of the Interior certified, in 1858, that certain lands inured to the State of Iowa under the Railroad Act of 1856, he, in effect, decided they were not included in the lands coming under the Swamp Land Act of 1850; if it was believed that these lands passed to the State under the Swamp Lands Act, the State of Iowa, before accepting the lands under the railroad grant, should have served notice of such transfer. The State of Iowa could not take lands under one act, and, while holding them under

<sup>99</sup> *Marshall Dental Manufacturing Company v. Iowa*, 226 U. S. 460.

<sup>100</sup> *Mills County v. Railroad Companies*, 107 U. S. 557.

<sup>101</sup> *Laws of Iowa*, 1853-1854, Ch. 13, 1854-1855, Ch. 110; *Mills County v. Railroad Companies*, 107 U. S. 557.

<sup>102</sup> *Buena Vista County v. Iowa Falls and Sioux City Railroad Co.*, 112 U. S. 165.

that act, pass to one of its counties the right to assert an interest in the lands under another and different act.<sup>103</sup>

By the law of Iowa, riparian owners of land bordering on a non-navigable body of water take only to the water's edge.<sup>104</sup> Grants of the United States to the State of Iowa followed the State rule and conveyed no land under an un-navigable lake. The title to the bed of a meandered lake, formerly within the public domain of the United States, for which there had been no patent issued, was declared to reside either in the United States or to have passed to the State under the Swamp Land Act.<sup>105</sup>

A third factor complicating the land titles in Iowa was the legislation dealing with Federal land grants to Iowa for the improvement of the Des Moines River. In the case of *Dubuque and Sioux City Ry. Co. v. Des Moines Valley Ry. Co.* it was held that the grant, in 1846, of lands to the Territory of Iowa for the improvement of the Des Moines River did not extend above the Raccoon Fork because the Indian title to this area had not been extinguished. But this grant, the Court held, excluded these lands from the act of 1856 which granted lands in Iowa to aid in the construction of railroads. The title to this land was vested in the State of Iowa for the purpose of river improvement by an act passed by Congress in 1862. When this last mentioned act took effect the Indians had relinquished all title to the land involved and the title was awarded to the company holding under the grant of 1846 as confirmed by the act of 1862.<sup>106</sup>

Turning from these various grants to aid internal im-

<sup>103</sup> 164 U. S. 559.

<sup>104</sup> *Wright v. Council Bluffs*, 130 Iowa 274; *State v. Thompson*, 134 Iowa 25; *State v. Jones*, 143 Iowa 398.

<sup>105</sup> *Marshall Dental Manufacturing Company v. Iowa*, 226 U. S. 460.

<sup>106</sup> 109 U. S. 329; *United States Statutes at Large*, Vol. IX, p. 77, Vol. XI, p. 9, Vol. XII, p. 543.



provements to the general homestead grants, we find that the mere location of a land warrant did not operate to pass the equitable title from the United States to the individual. A patent for the land could be secured only upon payment of the government price.<sup>107</sup>

#### CASES INVOLVING POLICE POWER OF THE STATE

One of the fundamental theories upon which this nation was founded was that the individual Commonwealths possessed all powers not given to the Federal government nor denied them by the Federal Constitution. One of the most important of these fields of action is the police power. In American constitutional law this power is considered to be inherent in the States, a power which the States can not contract away. It is one of the residuary powers possessed by the States.<sup>108</sup>

The police power is the power of the State to legislate on behalf of the health, morals, safety, and general welfare of its citizens. It is not surprising, therefore, that such diverse interests as railroads, schools, labor unions, banks, manufacturers, and property rights are regulated by legislative enactments passed under this power and are represented in the cases appealed from the Supreme Court of the State of Iowa to the Supreme Court of the United States.

A statute of the State of Iowa required that foreign corporations of certain specified classes, as a condition of obtaining a permit for the transaction of business in the State of Iowa, should agree not to remove into the Federal courts certain suits which they would, by the laws of the United States, have a right to remove. In the case of

<sup>107</sup> *Sargent and Lahr v. Herrick and Stevens*, 221 U. S. 404; *Hussman v. Durham*, 165 U. S. 144.

<sup>108</sup> Ogg and Ray's *Introduction to American Government* (Third edition), pp. 693, 694.

*Barron v. Burnside*, this law was held to be void because it made the right to a permit dependent upon the surrender of a privilege secured by the Constitution and the laws of the United States. Furthermore, the Federal Court said, the State can not "confer jurisdiction upon the Federal courts, nor restrict the authority given to them by Congress in pursuance of the Constitution."<sup>109</sup>

But States do possess the power to regulate the exercise of certain business within the States. Railroad corporations have been the subject of a great deal of legislation in Iowa. Several of these statutes regulating railroads have been questioned in the courts by the railroads.

In such cases the Federal Supreme Court has consistently held that it is competent for a State to pass laws whose whole object and effect are to make it more certain that railroad corporations shall use the utmost care and diligence in the transportation of passengers and goods, a duty resting upon them by virtue of their employment as common carriers.<sup>110</sup>

In line with this reasoning, the Supreme Court of the United States upheld a law of the State of Iowa which provided that "No contract, receipt, rule, or regulation, shall exempt any corporation engaged in transporting persons or property by railroad from liability of a common carrier, or carrier of passengers, which would exist had no contract, receipt, rule, or regulation, been made or entered into."<sup>111</sup> But after the passage of the Hepburn Act of 1906 this statute was declared to be non-applicable in the case of *Chicago, Rock Island and Pacific Ry. Co. v. Cramer*.<sup>112</sup> The Federal Supreme Court has also ruled that

<sup>109</sup> *Laws of Iowa*, 1886, Ch. 76; *Barron v. Burnside*, 121 U. S. 186, at 198.

<sup>110</sup> *Chicago, Milwaukee and St. Paul Railroad Co. v. Solan*, 169 U. S. 133.

<sup>111</sup> *Code of 1873*, Sec. 1308; *Chicago, Milwaukee and St. Paul Railroad Co. v. Solan*, 169 U. S. 133.

<sup>112</sup> *United States Statutes at Large*, Vol. XXXIV, p. 584; 232 U. S. 490.



the States may pass laws which require railroad companies to fix their rates annually for the transportation of passengers and freight, and may also require them to post a printed copy of such rates in all their stations.<sup>113</sup>

A State may compel a railroad company to reship a consignment of coal in the same cars which were used in interstate commerce, to other points within the State, and such a statute does not invade the power of Congress to regulate interstate commerce. The problem as to whether commerce is interstate or intrastate is determined by the essential character of the commerce and not by mere billings or forms of contract.<sup>114</sup>

Very closely related to the problem of exercising the police power legitimately in the field of railroad legislation is the exercise of that power in the matter of local prohibition. Prior to the passage of the Eighteenth Amendment this field was left within the jurisdiction of the States. So long as State prohibition laws did not impede or obstruct interstate commerce, they were not subject to Federal interpretation unless it could be shown that they deprived some person of his liberty or property without due process of law. Of the seven cases in this field reaching the Supreme Court of the United States from the Iowa tribunal, three were affirmed and four were reversed. In all of the cases reversed the laws were declared void because the State statutes interfered in one way or another with the free passage of commerce from one State to another.<sup>115</sup>

<sup>113</sup> *Chicago and Northwestern Railroad Co. v. Fuller*, 154 U. S. 595; *Railroad Company v. Fuller*, 84 U. S. 560.

<sup>114</sup> *Chicago, Milwaukee and St. Paul Railroad Co. v. Iowa*, 233 U. S. 334.

<sup>115</sup> *Affirmed*: *Bartemeyer v. Iowa*, 85 U. S. 129; *Kidd v. Pearson*, 128 U. S. 1; *Eilenbecker v. Plymouth County*, 134 U. S. 31.

*Reversed*: *Leisy v. Hardin*, 135 U. S. 100; *Rhodes v. Iowa*, 170 U. S. 412; *American Express Co. v. Iowa*, 196 U. S. 133; *Adams Express Co. v. Iowa*, 196 U. S. 147. These cases have been discussed at greater length under the topic, Interstate Commerce.

The police power of a State may be legitimately exercised in prohibiting the sale of any commodity under the name of ice cream which does not meet certain specifications set forth in a statute. Such a law has been held to be justified as preventing companies from practicing a fraud upon the public — a legitimate exercise of the police power by the State.<sup>116</sup>

In legislating for the general welfare, it is competent for a State to enact measures forbidding labor contracts limiting the liability of a railroad in case of injury to its employees.<sup>117</sup>

A statute of the State of Iowa imposing a tax on the real property whereon cigarettes are sold and upon the owner thereof has been declared to be a legitimate exercise of the police power of the State.<sup>118</sup>

In the case of *Bartels v. Iowa* the Supreme Court of the United States held invalid a law of the State of Iowa forbidding the teaching in any school whatsoever of any modern language, other than English, to any child in the eighth grade or below.<sup>119</sup> This statute was passed under the influence of the "Red Scare" which followed the signing of the Armistice in 1918.

Practically all of these cases are also of interest in connection with the Fourteenth Amendment and Interstate Commerce. It is evident that there exists a very close relationship between these sections. In the exercise of this inherent and reserved right to enact statutes in behalf of the general welfare, the State must not violate rights guaranteed to the individual by the Federal Constitution.

<sup>116</sup> *Hutchinson Ice Cream Co. v. Iowa*, 242 U. S. 153; *Sanders Ice Cream Co. v. Iowa*, 242 U. S. 153; *Traer v. Clews*, 115 U. S. 528.

<sup>117</sup> *Chicago, Burlington and Quincy Railroad Co. v. McGuire*, 219 U. S. 549.

<sup>118</sup> *Hodge v. Muscatine County, Iowa*, 196 U. S. 276; *Cook v. Marshall County, Iowa*, 196 U. S. 261.

<sup>119</sup> 262 U. S. 404; *Laws of Iowa*, 1919, Ch. 198.



When Congress enacts a measure in a field of delegated powers, such action supersedes all State legislation upon the subject, and the States are restrained from passing further laws affecting this field of action.

These principles are well illustrated in the field of bank legislation. A large number of cases in this connection have been appealed from the Iowa Court to the Supreme Court of the United States.

The Constitution has conferred upon the Federal government the power to borrow money upon the credit of the United States and this power can not be burdened or impeded by the action of a State.<sup>120</sup> Furthermore, Congress having the power to create a system of national banks, is the sole judge as to the extent of the powers to be conferred upon such institutions: the power to regulate and control the operation of national banks belongs solely to Congress. When Congress has provided regulations governing the conduct of officials of national banks the State possesses no power to enact legislation in conflict with these Federal laws.<sup>121</sup>

Despite these restrictions upon the actions of the States in the field of banking regulations, the State does possess power to enact laws for the purpose of protecting the interests of its citizens in regard to fraud in banking transactions.<sup>122</sup> Laws of the State prohibiting a usurious rate of interest have been deemed a rightful exercise of the police power of the State of Iowa. It has also been held that a State may, under the police power of the State, regulate bankruptcy proceedings.<sup>123</sup>

<sup>120</sup> *Home Savings Bank v. City of Des Moines*, 205 U. S. 503; *People's Savings Bank v. City of Des Moines*, 205 U. S. 503; *Des Moines Savings Bank v. City of Des Moines*, 205 U. S. 503.

<sup>121</sup> *Easton v. Iowa*, 188 U. S. 220.

<sup>122</sup> *Easton v. Iowa*, 188 U. S. 220.

<sup>123</sup> *Talbot v. Sioux City First National Bank*, 185 U. S. 172; *Talbot v. Sioux National Bank*, 185 U. S. 172; *Traer v. Clews*, 115 U. S. 528.

## RESTRICTIONS ON THE TAXING POWER OF THE STATE

Probably no other power possessed by the State is as comprehensive as the power to tax. Indeed, the very existence of governmental activity is dependent upon this power. Likewise, of all the powers possessed by a State that of taxation is most liable to abuse. "Given a purpose or object for which taxation may be lawfully used and the extent of its exercise is in its very nature unlimited. . . . The power to tax is . . . the strongest, the most pervading of all the powers of government, reaching directly or indirectly to all classes of the people."<sup>124</sup>

The power of the State to tax extends to all objects within the sovereignty of the State. But this power to tax is limited to persons, property, and business within the State and it can not reach the person of a non-resident. A State tax for special improvements can not be made a personal liability upon a non-resident although it may be made a first lien upon his property within the State.<sup>125</sup>

A State is also unable to tax public lands, which have been located under warrant, until the equitable title has passed from the United States. Such lands are not within the jurisdiction of the States. Even though the lands be within the jurisdiction of a State, that State is not given power to make discriminations in taxing such lands. Where the only discrimination made was between improved and unimproved lands, however, without regard to the residence of the owners, the Supreme Court held such action was not in violation of the above stated principle. The fact that more improved land was held by residents than by non-residents of the State could not be held to be sufficient grounds for declaring the tax law invalid.<sup>126</sup>

<sup>124</sup> *Loan Association v. Topeka*, 87 U. S. 655, at 663.

<sup>125</sup> *Dewey v. Des Moines*, 173 U. S. 193.

<sup>126</sup> *Sargent and Lahr v. Herrick and Stevens*, 221 U. S. 404; *Hussman v. Durham*, 165 U. S. 144; *Beeson v. Johns*, 124 U. S. 56.



A State may properly make a distinction between retail and wholesale dealers when levying a tax upon the sale of cigarettes in the State.<sup>127</sup> A tax to carry on a business may be made a lien upon the property where the business is carried on. Statutory provisions of the State of Iowa placing such a burden upon property where cigarettes are sold was declared to be a valid exercise of the taxing power. The owner of the property used for such purposes was presumed to know the business carried on there and to have leased the property with the knowledge that it might be encumbered by a tax on such business.<sup>128</sup>

The power of the State to tax national banks and shares of stock of banks holding Federal bonds as capital was discussed in the chapter dealing with Federal officers and departments and needs no further consideration at this point. Suffice it to say, however, that the State is unable to impair, by taxation, the power of the Federal government to borrow money upon the credit of the United States.<sup>129</sup>

Finally, the power of the State to tax may be restricted by treaties between the United States and foreign nations.<sup>130</sup>

#### THE BILL OF RIGHTS

The first eight amendments to the Constitution of the United States have reference only to powers exercised by the Federal government and not to those exercised by the States. This general principle of American constitutional law was relied upon by the Supreme Court of the United States in affirming a decision of the Iowa Supreme Court which upheld a statute of the State of Iowa providing that a violation of an injunction restraining a person from sell-

<sup>127</sup> *Cook v. Marshall County, Iowa*, 196 U. S. 261.

<sup>128</sup> *Hodge v. Muscatine County, Iowa*, 196 U. S. 276. This tax is also discussed under the police power.

<sup>129</sup> *Home Savings Bank v. City of Des Moines*, 205 U. S. 503.

<sup>130</sup> *Neilsen v. Johnson*, 279 U. S. 47.

ing intoxicating liquors could be punished as contempt of court by fine or imprisonment or both.<sup>131</sup>

Punishment for contempt of court violates neither the Fifth, the Sixth, nor the Eighth Amendment to the Federal Constitution. This position was based upon the reasoning, given by Justice Samuel F. Miller on behalf of the Court, in which he said: "If it has ever been understood that proceedings according to the common law for contempt of court have been subject to the right of trial by jury, we have been unable to find any instance of it. It has always been one of the attributes — one of the powers necessarily incident to a court of justice — that it should have this power of vindicating its dignity, of enforcing its orders, of protecting itself from insult, without the necessity of calling upon a jury to assist it in the exercise of this power." Right of trial by jury, as set forth in Article III, Section 2 of the Federal Constitution, likewise relates only to the judicial power of the United States.<sup>132</sup>

The case of *Thomas v. Iowa*, twice appealed to the Supreme Court of the United States, turned rather upon technical grounds of appeal than upon the point under consideration here.<sup>133</sup>

#### THE FOURTEENTH AMENDMENT AND DUE PROCESS

The Fourteenth Amendment is possibly the most important of all the amendments to the Federal Constitution

<sup>131</sup> *Eilenbecker v. Plymouth County*, 134 U. S. 31. The law in question was the State Prohibition Act.— *Code of 1873*, Secs. 1523–1559.

<sup>132</sup> *Eilenbecker v. Plymouth County*, 134 U. S. 31, at 36. But this power to issue orders compelling or prohibiting certain actions is not a power possessed alone by the courts, for a State may, so long as it acts within its own jurisdiction and not in hostility to any Federal regulation, invest its Railroad Commission with power to issue mandatory injunctions and such orders are not unconstitutional as depriving a railroad of its property without due process of law.— See *Chicago, Milwaukee and St. Paul Railroad Co. v. Iowa*, 233 U. S. 334.

<sup>133</sup> 209 U. S. 258, at 261, 262; 215 U. S. 591. The question, nicely evaded,



from the standpoint of application in the courts. Its provisions relate to citizenship, the privileges and immunities of citizens, due process of law, the apportionment of Representatives in Congress among the States, the exclusion from office of persons who, having previously sworn to support the United States Constitution, have taken part in a rebellion, the validation of debts incurred by the government during the Civil War, the nullification of debts incurred in aid of the rebellion, and the power of Congress to enforce the provisions of the amendment by appropriate legislation.

In a study of the cases appealed from the Iowa tribunal to the Federal Supreme Court, it is not surprising to find that approximately ten per cent of such appeals have been based upon various clauses of the Fourteenth Amendment.<sup>134</sup> Over half of these cases based their appeals directly upon the "due process" clause, and of this group

is stated by the Court in the following terms: "The count of the indictment upon which the verdict was returned alleged that the accused deliberately, premeditatively, and with malice aforethought murdered one Mabel Schofield by administering poison to her. The judge presiding at the trial instructed the jury in substance that if they were satisfied that the accused administered poison to Mabel Schofield, unlawfully and with bad intent, and that she died from the poison thus administered, then they should find him guilty of murder in the first degree, although there was no specific intent to kill. This instruction was approved by the Supreme Court as a correct expression of the law of the State. With that aspect of the question we have nothing to do. But it is assigned as error and argued here that this instruction in effect withdrew from the jury the question of the degree of the murder, and to that extent denied the plaintiff in error a trial by jury, and therefore denied him due process of law in violation of the Fourteenth Amendment to the Constitution of the United States. Without intimating that upon this statement any Federal question was presented, we must first consider whether the question was raised in the court below in such a manner as to give us jurisdiction to consider it." The court then proceeded to deny the writ of error upon the grounds that the Federal question, if any existed, had not been raised prior to the petition for a writ of error.

<sup>134</sup> Fifteen cases out of a total of one hundred and seventy-three were based squarely upon the Fourteenth Amendment. This number is exclusive of the cases involving the police powers of the State, nearly all of which touched upon some phase of the Fourteenth Amendment.

seven were appealed by corporations or business concerns.<sup>135</sup> These cases also involved the police power of the State of Iowa, interference with interstate commerce, and social legislation, as well as personal liberties and privileges of the citizens of the United States.

No final or complete definition of due process of law has been given by the Supreme Court of the United States. "Few phases of the law are so elusive of exact apprehension as this. . . . This court has always declined to give a comprehensive definition of it, and has preferred that its full meaning should be gradually ascertained by the process of inclusion and exclusion in the course of the decisions of cases as they arise."<sup>136</sup> An examination of the cases reaching the Supreme Court from the Iowa courts will illustrate some aspects of the phrase "due process of law".

The first case appealed under the due process clause was rejected upon grounds of jurisdiction and hence we find no discussion of the phrase, "due process", in the decision.<sup>137</sup>

In the case of *Kidd v. Pearson*,<sup>138</sup> it was held that a State law prohibiting or restricting the manufacture of intoxicating liquors within a State and providing regulations for the abatement, as a common nuisance, of the property

<sup>135</sup> Cases appealed depending directly upon the Fourteenth Amendment were: *Bartemeyer v. Iowa*, 85 U. S. 129; *Kidd v. Pearson*, 128 U. S. 1; *Eilenbecker v. Plymouth County*, 134 U. S. 31; *Iowa Central Ry. Co. v. Iowa*, 160 U. S. 389; *Dewey v. Des Moines*, 173 U. S. 193; *Hodge v. Muscatine County, Iowa*, 196 U. S. 276; *Thomas v. Iowa*, 209 U. S. 258; *Thomas v. Iowa*, 215 U. S. 591; *Chicago, Burlington and Quincy Railroad Co. v. McGuire*, 219 U. S. 549; *Cedar Rapids Gas Light Co. v. Cedar Rapids*, 223 U. S. 655; *Chicago, Milwaukee, and Saint Paul Ry. Co. v. Iowa*, 233 U. S. 334; *Hutchinson Ice Cream Co. v. Iowa*, 242 U. S. 153; *Sanders Ice Cream Co. v. Iowa*, 242 U. S. 153; *Breiholz v. Board of Supervisors*, 257 U. S. 118; and *Bartels v. Iowa*, 262 U. S. 404.

<sup>136</sup> *Twining v. New Jersey*, 211 U. S. 78, at 99, 100.

<sup>137</sup> This was the case of *Bartemeyer v. Iowa*, 85 U. S. 129.

<sup>138</sup> 128 U. S. 1.



used for such forbidden purposes did not deprive any person of property without due process of law, nor did such action abridge any liberty or immunity of a citizen of the United States within the meaning of the Fourteenth Amendment. This principle was repeated the following year in another case.<sup>139</sup>

The Fourteenth Amendment to the Constitution in no way undertakes to control the power of the State to determine by what process legal rights may be asserted, or legal obligations enforced, provided the method of procedure adopted for this purpose gives reasonable notice, and affords a fair opportunity to be heard, before the issues are decided. It is no denial of a right protected by the Constitution of the United States to refuse a jury trial in a civil cause pending in a State court even though it be clearly erroneous to construe the laws of the State as justifying the refusal.<sup>140</sup>

And it has been held that the appointment of a receiver, to act in the interests of the stockholders of a corporation, without notice to the petitioner in action against the corporation did not deny the petitioner due process of law within the meaning of the Fourteenth Amendment.<sup>141</sup> So it is evident that in at least one case, the right of notice could be dispensed with and the protection of due process of law was not held to be violated by such action.

It is impossible for a State to enforce against a non-resident an assessment upon land for special improvements by an act which makes the assessment a personal liability upon the owner. Such action would amount to taking his property without due process of law.<sup>142</sup>

<sup>139</sup> *Eilenbecker v. Plymouth County, Iowa*, 134 U. S. 31.

<sup>140</sup> *Iowa Central Railroad Co. v. Iowa*, 160 U. S. 389.

<sup>141</sup> *Great Western Telegraph Co. v. Purdy*, 162 U. S. 329.

<sup>142</sup> *Dewey v. Des Moines*, 173 U. S. 193. See also Willoughby's *The Constitutional Law of the United States*, Vol. II, p. 944.

If a taxpayer is given an opportunity to test the validity of a tax at any time before it is made final, either before a board having quasi-judicial powers or a tribunal provided by the State for that purpose, and does not do so, the subsequent sale of his property for refusal to pay the original tax does not deny him due process of law.<sup>143</sup>

In the case of *Thomas v. Iowa*, hereinbefore mentioned, the Supreme Court, while holding that it could not take the case under consideration for technical reasons, stated that it was not concerned with an interpretation of a State statute providing for a directed verdict, as this was a State question to be left to the decision of the State Supreme Court. This phase of due process of law, then, resides with each State.

A statute of a State, prohibiting contracts between the railroads and their employees limiting the right to recover damages at Common Law is not unconstitutional under the due process clause of the Fourteenth Amendment. Nor does such a statute necessarily deny equal protection of the law because it is limited to a certain class of railway employees.<sup>144</sup>

The property of a public utility company is not taken without due process of law by a city ordinance reducing the rates to be charged (the original contract being in the form of a city ordinance passed by the council and accepted by the company) if fair treatment is accorded the company as to the value of its property and its net earnings.<sup>145</sup> Neither is the property of a railroad taken without due process of law when, by means of an injunction, the State Railway Commission forces a railroad to accept, for further reshipment over its lines to points within the

<sup>143</sup> *Hodge v. Muscatine County, Iowa*, 196 U. S. 276.

<sup>144</sup> *Chicago, Burlington and Quincy Railroad Co. v. McGuire*, 219 U. S. 549.

<sup>145</sup> *Cedar Rapids Gas Light Co. v. Cedar Rapids*, 223 U. S. 655.



State, cars already loaded and in suitable condition for such reshipment.<sup>146</sup>

It is possible for the State to regulate the ingredients, within certain reasonable limits, of ice cream and to prevent the sale of any article under that name which does not meet the requirements of the State statute. Even though such a statute might conceivably force a concern out of business, thus depriving the owners of their property, such a law would not, the United States Supreme Court has held, violate the due process clause of the Constitution.<sup>147</sup>

A State law under which a drainage district has been established, the ditches constructed, and the cost assessed upon the landowners in proportion to the benefits, all after due notice and opportunity to be heard, does not violate their right to due process in empowering a supervising board, *without further notice*, to determine the necessity and extent of cleaning and repairs, and to assess the cost upon the landowners in proportion to the original assessments.<sup>148</sup>

It has been held that as long as the fundamental rights of the litigants to a fair trial, as regards notice, opportunity to produce evidence, and adequate relief, are protected, the specific requirements of the Constitution are not violated. Cases appealed from the Iowa Supreme Court very clearly point out that due process of law is process according to the "law of the land" in each State, and a process which derives its authority from the inherent and reserved powers of the State, exerted within the limits of those fundamental principles of liberty and justice which lie at the base of all our civil and political institutions. The greatest security for such principles is found in the

<sup>146</sup> *Chicago, Milwaukee and St. Paul Railroad Co. v. Iowa*, 233 U. S. 334.

<sup>147</sup> *Hutchinson Ice Cream Co. v. Iowa*, 242 U. S. 153; *Sanders Ice Cream Co. v. Iowa*, 242 U. S. 153.

<sup>148</sup> *Breiholz v. Board of Supervisors*, 257 U. S. 118.

right of the people to make their own laws and to alter them at their pleasure. The Federal Supreme Court has power over a State law only to determine whether it is in conflict with the supreme law of the land, and not to state what that law is or should be.

#### OBLIGATION OF CONTRACTS

In addition to being prohibited by the Fourteenth Amendment from depriving any person of life, liberty, or property without due process of law, the States are, by Article I, Section 10, of the Constitution, expressly denied the power to pass any law impairing the obligation of contracts.

The action of Lee County, Iowa, in voting to issue bonds to buy stock in two railroads was contested by a taxpayer and the State Supreme Court held the election irregular and the bonds void. But the legislative body of the State passed a legalizing act, and a tax to pay for the bonds was levied by the county. Again a taxpayer objected, but the Supreme Court of the State held that the General Assembly had the power to pass such a legalizing act. A third case was taken to the State Court and this time the Iowa tribunal reversed its former decisions and declared the bonds void. The Supreme Court of the United States, upon appeal, declared the bonds valid, but stated that bonds executed after the last decision of the Iowa court would be controlled by it. The change in judicial decisions could not be allowed to render invalid contracts which, when made, were valid.<sup>149</sup>

Contracts valid when made, continue valid during the term covered by the agreement and are capable of enforcement, so long, at least, as peace lasts between the governments of the contracting parties, notwithstanding changes

<sup>149</sup> Thomson v. Lee County, 70 U. S. 327.



in conditions of business.<sup>150</sup> So it has been repeatedly held that no question can be raised as to the impairment of a contract when a company accepts its corporate powers subject to the reserved power of the State to modify its Constitution and to impose additional burdens upon the exercise of the franchise.<sup>151</sup>

The legislative body may modify or change existing remedies, or prescribe new modes of procedure, without impairing the obligation of contracts, providing a substantial remedy remains or is given, by means of which a party can enforce its rights under the contract. Legislative action changing the original contract requiring a city street railway company to pave between the rails so as to force that company to pave an additional foot on each side of the rails, as well as between the rails, was held not to be an impairment of the original contract.<sup>152</sup> An ordinance passed by a city council, lessening the rates to be charged for gas, was also not considered an impairment of the contract because the company took the franchise under the reserved right of the State, through its subordinate unit, the municipality, to modify the franchise in this matter. A substantial remedy was left to the company by providing for appeal to the courts of the State for enforcement of the contract.<sup>153</sup>

A State may provide that no contract may exempt any railroad corporation from the liability of a common carrier of passengers which would have existed if no contract had been made. It has been held that such a statute, passed by the General Assembly of the State of Iowa, applied to

<sup>150</sup> For cases on this point see *Railroads v. Richmond*, 82 U. S. 3; *Railroad v. Richmond*, 86 U. S. 584.

<sup>151</sup> *Sioux City Street Railway Co. v. Sioux City*, 138 U. S. 98; *Cedar Rapids Gas Light Co. v. Cedar Rapids*, 223 U. S. 655.

<sup>152</sup> *Sioux City Street Railway Co. v. Sioux City*, 138 U. S. 98.

<sup>153</sup> *Cedar Rapids Gas Light Co. v. Cedar Rapids*, 223 U. S. 655.

employees of the railway as well as to the shippers and passengers.<sup>154</sup>

Marriage, though often properly described as a contract, is not a contract in the sense that its obligations prescribed by law are protected from changes by the State legislatures.<sup>155</sup>

Lastly, the impairment of contract obligations forbidden by Article I, Section 10, of the Federal Constitution is impairment by legislative action. In the case of *Fleming v. Fleming*, Chief Justice William H. Taft stated that the proposition that judicial impairment was included had been so frequently denied that it could not be used to support a writ of error to the State Supreme Court.<sup>156</sup>

#### SUMMARY

“The importance of the judiciary in political construction”, Henry Sidgwick has written, “is rather profound than prominent. On the one hand, in popular discussion of forms and changes of Government, the judicial organ often drops out of sight; on the other hand, in determining a nation’s rank in political civilization, no test is more decisive than the degree in which justice, as defined by the law, is actually realized in its judicial administration, both as between one private citizen and another, and as between private citizens and members of the government.”<sup>157</sup> Certainly no man can over-estimate the importance of the mechanism of justice.

<sup>154</sup> *Chicago, Milwaukee and St. Paul Railroad Co. v. Solan*, 169 U. S. 133; *Chicago, Burlington and Quincy Railroad Co. v. McGuire*, 219 U. S. 549; *Chicago, Rock Island and Pacific Railroad Co. v. Cramer*, 323 U. S. 490.

<sup>155</sup> *Maynard v. Hill*, 125 U. S. 190. An Iowa case in which this statement is alluded to is that of *Fleming v. Fleming*, 264 U. S. 29.

<sup>156</sup> 264 U. S. 29, at 31, upon the authority of *Tidal Oil Co. v. Flanagan*, 263 U. S. 444, and cases there cited.

<sup>157</sup> Sidgwick’s *Elements of Politics*, p. 481.



A total of one hundred and seventy-three cases have reached the Supreme Court of the United States upon direct appeal from the Supreme Court of the Territory and State of Iowa since 1845. An alphabetical list of these cases is given below:

- Adams County *v.* Burlington and Missouri Railroad Co., 112 U. S. 123 (1884), Justice Waite, dismissing 55 Iowa 94 (1880)
- Adams Express Co. *v.* Iowa, 196 U. S. 147 (1904), Justice White, reversing 95 N. W. 1129
- American Express Co. *v.* Iowa, 196 U. S. 133 (1904), Justice White, reversing 118 Iowa 447 (1902)
- Barrett *v.* Holmes, 102 U. S. 651 (1880), Justice Woods, affirming 48 Iowa 103 (1878)
- Barron *v.* Burnside, 121 U. S. 186 (1886), Justice Blatchford, reversing 70 Iowa 362 (1886)
- Bartels *v.* Iowa, 262 U. S. 404 (1922), Justice McReynolds, reversing 191 Iowa 1060 (1921)
- Bartemeyer *v.* Iowa, 81 U. S. 26 (1871), Justice Miller, dismissing 31 Iowa 601 (1871)
- Bartemeyer *v.* Iowa, 85 U. S. 129 (1873), Justice Miller, affirming 31 Iowa 601 (1871)
- Beeson *v.* Johns, 124 U. S. 56 (1887), Justice Miller, affirming 59 Iowa 166 (1882)
- Berger *v.* Tracy, 215 U. S. 594 (1909), per curiam, dismissing 135 Iowa 597 (1907)
- Bevins *v.* Iowa, 282 U. S. 815 (1930), per curiam, dismissing 230 U. S. 865 (1928)
- Bonn *v.* Thrasher, 140 U. S. 673 (1890), per curiam, dismissing 70 Iowa 752 (1886)
- Breiholz *et al.* *v.* Board of Supervisors of Pocahontas County, 257 U. S. 118 (1921), Justice Clarke, affirming 186 Iowa 1147 (1919)
- Brown *v.* Powers (2 cases), 226 U. S. 620, 621 (1912), per curiam, dismissing 146 Iowa 729 (1910)

- Buena Vista County v. Iowa Falls and Sioux City Railroad Co.*, 112 U. S. 165 (1884), Justice Mathews, affirming 55 Iowa 157 (1880)
- Bullard v. Des Moines and Fort Dodge Railroad Co.*, 122 U. S. 167 (1886), Justice Miller, affirming 62 Iowa 382 (1883)
- Burlington and Missouri River Railroad Co. v. Mills County*, 154 U. S. 568 (1870), Justice Nelson, affirming 22 Iowa 91 (1867)
- Burlington Gas Light Co. v. Burlington, Cedar Rapids and Northern Railway Co.*, 165 U. S. 370 (1896), Justice Brewer, affirming 91 Iowa 470 (1894)
- Bush v. Marshall and Whitesides*, 47 U. S. 284 (1848), Justice Grier, affirming 1 Morris 275 (1844)
- Cedar Rapids Gas Light Co. v. City of Cedar Rapids*, 223 U. S. 655 (1911), Justice Holmes, affirming 144 Iowa 426 (1909)
- Cedar Rapids and Missouri River Railroad Co. v. Boyd*, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. v. Brooks*, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. v. Cutler*, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. v. Dundon*, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. v. Greenstreet*, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. v. Herring*, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)



- Cedar Rapids and Missouri River Railroad Co. *v.* Iddings, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. *v.* Jewell, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. *v.* Lake, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids and Missouri River Railroad Co. *v.* Wooster, 110 U. S. 27 (1883), Justice Miller, affirming 52 Iowa 687 (1879)
- Cedar Rapids Water Co. *v.* City of Cedar Rapids, 199 U. S. 600 (1905), per curiam, dismissing 118 Iowa 234 (1902)
- Central State Bank *v.* Stewart, 283 U. S. 813 (1931), per curiam, granting petition of writ of certiorari, 232 N. W. 445 (1929)
- Chapman *v.* Goodnow's Administrator, 123 U. S. 527 (1887), Justice Waite, affirming 65 Iowa 201 (1884)
- Chapman *v.* Goodnow's Administrator, 123 U. S. 540 (1887), Justice Waite, affirming 63 Iowa 569 and 64 Iowa 602 (1884)
- Chicago, Burlington and Quincy Railway Co. *v.* Hamilton, 223 U. S. 743 (1911), per curiam, dismissing 145 Iowa 431 (1910)
- Chicago, Burlington and Quincy Railroad Co. *v.* McGuire, 219 U. S. 549 (1910), Justice Hughes, affirming 138 Iowa 664 (1908)
- Chicago, Great Western Railroad Co. *v.* Basham, 249 U. S. 164 (1918), Justice Pitney, dismissing 178 Iowa 998 (1916)
- Chicago, Milwaukee and St. Paul Railway Co. *v.* Solan, 169 U. S. 133 (1897), Justice Gray, affirming 95 Iowa 260 (1895)
- Chicago, Milwaukee and St. Paul Railroad Co. *v.* Iowa, 233

- U. S. 334 (1913), Justice Hughes affirming 152 Iowa 317 (1911)
- Chicago and Northwestern Railway Co. *v.* Fuller, 154 U. S. 595 (1873), Justice Swayne, affirming 31 Iowa 187, at 211 (1871)
- Chicago, Rock Island and Pacific Railway Co. *v.* Bradbury, 223 U. S. 711 (1911), per curiam, dismissing 149 Iowa 51 (1910)
- Chicago, Rock Island and Pacific Railway Co. *v.* Cramer, 232 U. S. 490 (1913), Justice Lamar, reversing 153 Iowa 103 (1911)
- Chicago, Rock Island and Pacific Railway Co. *v.* Mumford, 203 U. S. 601 (1906), per curiam
- Chicago, Rock Island and Pacific Railway Co. *v.* Vander Zyl, 266 U. S. 636 (1924), per curiam, dismissing 195 Iowa 901 (1923)
- Commercial National Bank of Council Bluffs *v.* Burke, 275 U. S. 502 (1927), per curiam, dismissing 201 Iowa 994 (1926)
- Cook *v.* Marshall County, Iowa, 196 U. S. 261 (1904), Justice Brown, affirming 119 Iowa 384 (1903)
- Coon Rapids National Bank *v.* Lee, 239 U. S. 659 (1915), per curiam, dismissing 166 Iowa 242 (1914)
- Davenport Bank *v.* Davenport Board of Equalization, 123 U. S. 83 (1887), Justice Miller, affirming 64 Iowa 140 (1884)
- Des Moines National Bank *v.* Fairweather, 263 U. S. 103 (1923), Justice Van Devanter, affirming 191 Iowa 1240 (1921)
- Des Moines Navigation and Railroad Co. *v.* Iowa Homestead Co., 123 U. S. 552 (1887), Justice Waite, reversing 63 Iowa 285 (1884)
- Des Moines Savings Bank *v.* City of Des Moines, 205 U. S. 503 (1906), Justice Moody, reversing 101 N. W. 867



- Dewey *v.* Des Moines, 173 U. S. 193 (1898), Justice Peckham, reversing 101 Iowa 416 (1897)
- Dubuque and Sioux City Railroad Co. *v.* Des Moines Valley Railroad Co., 109 U. S. 329 (1883), Justice Waite affirming 54 Iowa (1880)
- Dubuque and Sioux City Railroad Co. *v.* Snell, 159 U. S. 252 (1895), per curiam, dismissing 88 Iowa 442 (1893)
- Dull *v.* Blackman, 169 U. S. 243 (1897), Justice Brewer, affirming 96 Iowa 541 (1896)
- Duus *v.* Brown, 245 U. S. 176 (1917); Justice White, affirming 168 Iowa 511 (1915)
- Easton *v.* Iowa, 188 U. S. 220 (1902), Justice Shiras, reversing 113 Iowa 516 (1901)
- Eilenbecker *v.* District Court of Plymouth County, Iowa, 134 U. S. 31 (1889), Justice Miller, affirming 69 Iowa 240 (1886)
- Etheridge *v.* Sperry, 139 U. S. 266 (1890), Justice Brewer, affirming 70 Iowa 27 (1886)
- First National Bank *v.* Estherville, 215 U. S. 341 (1909), Justice Fuller, dismissing 136 Iowa 203 (1906)
- First National Bank of Guthrie Center *v.* Anderson, 269 U. S. 341 (1925), Justice Van Devanter, reversing 196 Iowa 587 (1923)
- Fleming *et al.* *v.* Fleming, 264 U. S. 29 (1923), Justice Taft, dismissing 194 Iowa 71 (1922)
- Florang *v.* Craig, 140 U. S. 680 (1890), per curiam, dismissing 71 Iowa 761 (1887)
- Fuller *v.* American Emigrant Co., 149 U. S. 774 (1892), per curiam, dismissing 83 Iowa 599 (1891)
- Gear *v.* Parish, 46 U. S. 168 (1847), Justice Nelson, reversing 1 Pinney (Wis.) 261
- Goodell *v.* Kriechbaum, 131 U. S. 437 (1888), per curiam, reversing 70 Iowa 362 (1886)
- Gray *v.* Coan, 154 U. S. 589 (1871), Justice Chase, dismissing 30 Iowa 536 (1870)

- Great Western Telegraph Co. *v.* Purdy, 162 U. S. 329 (1895), Justice Gray, affirming 83 Iowa 430 (1891)
- Grinnell *v.* Railroad Co., 103 U. S. 739 (1880), Justice Miller affirming 51 Iowa 476 (1879)
- Gustaveson *v.* Iowa, 227 U. S. 681 (1912), per curiam
- Hallagan *v.* Dowell, 246 U. S. 678 (1917), per curiam, dismissing 179 Iowa 172 (1917)
- Hamblin *v.* Western Land Co., 147 U. S. 531 (1892), Justice Brewer, affirming 79 Iowa 539 (1890)
- Hamill *v.* Schlitz Brewing Co., 245 U. S. 676 (1917), per curiam, dismissing 165 Iowa 266 (1914)
- The Hine *v.* Trevor, 71 U. S. 555 (1866), Justice Miller, reversing 17 Iowa 349 (1864)
- Hodge *v.* Muscatine County, Iowa, 196 U. S. 276 (1904), Justice Brown, affirming 121 Iowa 482 (1903)
- Home Savings Bank *v.* City of Des Moines, 205 U. S. 503 (1906), Justice Moody, reversing 101 N. W. 867
- Hubbell *v.* Higgins, 227 U. S. 684 (1912), per curiam, dismissing 148 Iowa 36 (1910)
- Hussman *v.* Durham, 165 U. S. 144 (1896), Justice Brewer, affirming 88 Iowa 29 (1893)
- Hurley *v.* Street, 81 U. S. 85 (1871), Justice Chase, dismissing 29 Iowa 429 (1870)
- Hutchinson Ice Cream Co. *v.* Iowa, 242 U. S. 153 (1916), Justice Brandeis, affirming 168 Iowa 1 (1914)
- Illinois Central Railroad Co. *v.* Pelton, 239 U. S. 655 (1915), per curiam, dismissing 171 Iowa 91 (1915)
- Inter-Urban Railway Co. *v.* Mrs. Fred Smith, 253 U. S. 499 (1919), per curiam, dismissing 186 Iowa 1045 (1919)
- Iowa *v.* Rood, 187 U. S. 87 (1902), Justice Brown, dismissing 109 Iowa 5 (1899)
- Iowa Central Railway Co. *v.* Bacon, 236 U. S. 305 (1914), Justice Day, affirming 157 Iowa 493 (1912)
- Iowa Central Railway Co. *v.* Iowa, 160 U. S. 389 (1895), Justice White, dismissing 71 Iowa 410 (1887)



- Iowa-Des Moines National Bank *v.* Stewart, 283 U. S. 815 (1931), per curiam, granting petition for writ of certiorari, 232 N. W. 445 (1929)
- Iowa-Des Moines National Bank *v.* Stewart, 284 U. S. 239 (1931), Justice Brandeis, reversing 232 N. W. 445 (1929)
- Iowa Falls and Sioux City Railroad Co. *v.* Beck, 136 U. S. 639 (1889), per curiam, dismissing 67 Iowa 421 (1885)
- Iowa Falls and Sioux City Railroad Co. *v.* Nichols (2 cases), 136 U. S. 639 (1889), per curiam, dismissing 67 Iowa 421 (1885)
- Iowa Falls and Sioux City Railroad Co. *v.* Wentworth, 136 U. S. 639 (1889), per curiam, dismissing 67 Iowa 421 (1885)
- Iowa Railroad Land Co. *v.* Blumer, 206 U. S. 482 (1906), Justice Day, affirming 129 Iowa 32 (1905)
- Johnson *v.* New York Life Insurance Co., 187 U. S. 491 (1902), Justice Brown, dismissing 109 Iowa 708 (1899)
- Jones *v.* Mould *et al.*, 231 U. S. 765 (1913), per curiam, dismissing 138 Iowa 683 (1908)
- Judge *v.* Powers *et al.*, 241 U. S. 686 (1915), per curiam, dismissing 156 Iowa 251 (1912)
- Kidd *v.* Pearson, 128 U. S. 1 (1888), Justice Lamar, affirming 72 Iowa 348 (1887)
- Kitteringham *v.* Blair Town Lot and Land Co., 145 U. S. 643 (1891), per curiam, dismissing 73 Iowa 421 (1887)
- Leicht *v.* McLane, 136 U. S. 641 (1889), per curiam, dismissing 70 Iowa 752 (1886)
- Leisy *v.* Hardin, 135 U. S. 100 (1889), Justice Fuller, reversing 78 Iowa 286 (1889)
- Levi *v.* Thompson *et al.*, 45 U. S. 17 (1846), Justice Wayne, affirming 1 Morris 235 (1843)
- Litchfield *v.* Goodnow's Administrator (2 cases), 123 U. S. 527 (1887), Justice Waite, affirming 67 Iowa 691 (1885)
- Litchfield *v.* Goodnow's Administrator, 123 U. S. 549 (1887), Justice Waite, affirming 62 Iowa 221 (1883)

- Loftus v. Iowa*, 283 U. S. 809 (1931), per curiam, dismissing 232 N. W. 412 (1929)
- Logan v. Davis*, 233 U. S. 613 (1913), Justice Van Devanter, reversing 147 Iowa 441 (1910)
- McCormick v. Hayes*, 159 U. S. 332 (1895), Justice Harlan, reversing 83 Iowa 89 (1891)
- McLaughlin Brothers v. Hallowell*, 228 U. S. 278 (1912), Justice Pitney, dismissing 121 N. W. 1039
- McNulty v. Batty et al.*, 51 U. S. 72 (1850), Justice Nelson, dismissing 2 Pinney (Wis.) 53
- Majestic Theater Co. v. City of Cedar Rapids*, 232 U. S. 730 (1913), per curiam, dismissing 153 Iowa 219 (1911)
- Marsh et al. v. Brooks et al.*, 49 U. S. 223 (1850), Justice Catron, reversing 2 Greene (Iowa) 94 (1849)
- Marshall Dental Manufacturing Co. v. Iowa*, 226 U. S. 460 (1912), Justice Holmes, affirming 143 Iowa 398 (1909)
- Melendy v. Rice*, 94 U. S. 796 (1876), Justice Waite, affirming 41 Iowa 395 (1875)
- Mengel v. Mengel*, 218 U. S. 694 (1910), per curiam, dismissing 145 Iowa 737 (1909)
- Mengel v. Mengel*, 227 U. S. 675 (1912), per curiam, dismissing 157 Iowa 630 (1912)
- Messenger v. Mason*, 77 U. S. 507 (1870), Justice Nelson, dismissing 17 Iowa 261 (1864)
- Meyer v. Construction Co.*, 100 U. S. 457 (1879), Justice Waite, reversing 46 Iowa 406 (1877)
- Midland Linseed Co. v. American Liquid Fireproofing Co.*, 254 U. S. 610 (1920), per curiam, dismissing 183 Iowa 1046 (1918)
- Mills County, Iowa v. Railroad Co.*, 107 U. S. 557 (1882), Justice Bradley, affirming 47 Iowa 66 (1877)
- Miners' Bank of Dubuque v. United States, ex rel. Grant*, 46 U. S. 213 (1847), Justice Taney, dismissing 1 Morris 482 (1846)
- Miners' Bank of Dubuque v. Iowa*, 53 U. S. 1 (1851), Justice Daniel, dismissing 1 Greene 553 (1848)



- Minneapolis and St. Louis Railroad Co. *v.* Gano, 190 U. S. 557 (1902), per curiam, affirming 114 Iowa 713 (1901)
- Moreland *v.* Page, 61 U. S. 522 (1857), Justice Grier, dismissing 2 Iowa 139 (1855)
- Nagel *v.* Iowa, 254 U. S. 620 (1920), per curiam, dismissing 185 Iowa 1038 (1919)
- Neilsen *v.* Johnson, 277 U. S. 583 (1928), per curiam, granting writ to 205 Iowa 324 (1928)
- Neilsen *v.* Johnson, 279 U. S. 47 (1928), Justice Stone, reversing 205 Iowa 324 (1928)
- Northwestern Union Packet Co. *v.* Home Insurance Co., 154 U. S. 588 (1872), Justice Chase, dismissing 32 Iowa 223 (1871)
- Oakley *v.* Goodnow's Administrator, 118 U. S. 43 (1885), Justice Waite, affirming 68 Iowa 25 (1885)
- Olander *v.* Hollowell, 262 U. S. 731 (1922), per curiam, dismissing 193 Iowa 979 (1922)
- Omaha and Council Bluffs Railway and Bridge Co. of Nebraska *v.* Smith, 166 U. S. 719 (1896), per curiam, dismissing 97 Iowa 545 (1896)
- Packet Company *v.* Keokuk, 95 U. S. 80 (1877), Justice Strong, affirming 45 Iowa 196 (1876)
- People's Savings Bank *v.* City of Des Moines, 205 U. S. 503 (1906), Justice Moody, reversing 101 N. W. 867
- Petersen *et al.* *v.* Iowa, 245 U. S. 170 (1917), Justice White, affirming 166 Iowa 617 (1914)
- Plumb *v.* Goodnow's Administrator, 123 U. S. 560 (1887), Justice Waite, reversing 64 Iowa 672 (1884)
- Preston *et al.* *v.* Bracken, 51 U. S. 81 (1850), Justice Nelson, dismissing Pinney (Wis.) 365
- Railroad Land Co. *v.* Courtright, 88 U. S. 310 (1874), Justice Field, affirming 35 Iowa 386 (1872)
- Railroad Co. *v.* Fremont County, Iowa, 76 U. S. 89 (1869), Justice Nelson, affirming 22 Iowa 91 (1867)
- Railroad Co. *v.* McClure, 77 U. S. 511 (1870), Justice Swayne, dismissing 26 Iowa 243 (1868)

- Railroad Co. *v.* McKinley, 99 U. S. 147 (1878), Justice Waite, affirming 44 Iowa 314 (1876)
- Railroad Co. *v.* Renwick, 102 U. S. 180 (1880), Justice Waite, affirming 49 Iowa 664 (1878)
- Railroad Co. *v.* Richmond, 82 U. S. 3 (1872), Justice Chase, granting writ to 33 Iowa 422 (1871)
- Railroad Co. *v.* Richmond, 86 U. S. 584 (1873), Justice Field, affirming 33 Iowa 422 (1871)
- Railroad Co. *v.* Rock, 71 U. S. 177 (1866), Justice Miller, dismissing 14 Iowa 593 (1863)
- Rhodes *v.* Iowa, 170 U. S. 412 (1897), Justice White, reversing 90 Iowa 496 (1894)
- Rogers Locomotive Machine Works *v.* American Emigrant Co., 164 U. S. 559 (1896), Justice Harlan, reversing 83 Iowa 612 (1891)
- Rowley *v.* Iowa, 269 U. S. 594 (1925), per curiam, dismissing 198 Iowa 613 (1924)
- Royal Indemnity Co. *v.* Andrew, 281 U. S. 725 (1929), per curiam, dismissing 224 N. W. 499 (1927)
- Sanders Ice Cream Co. *v.* Iowa, 242 U. S. 153 (1916), Justice Brandeis, affirming 168 Iowa 1 (1914)
- Sargent and Lahr *v.* Herrick and Stevens, 221 U. S. 404 (1910), Justice Van Devanter, reversing 140 Iowa 590 (1908)
- Schlosser *v.* Hemphill, 198 U. S. 173 (1904), Justice Fuller, dismissing 118 Iowa 452 (1902)
- Scottish Union, etc. *v.* Herriott, 187 U. S. 651 (1902), per curiam, dismissing 109 Iowa 606 (1899)
- Sheppard *et al.* *v.* Wilson, 46 U. S. 210 (1847), Justice Taney, affirming 1 Morris 448 (1845)
- Sheppard *et al.* *v.* Wilson, 47 U. S. 260 (1848), Justice Grier, affirming 1 Morris 448 (1845)
- Sioux City and Iowa Falls Town Lot and Land Co. *v.* Grifey, 143 U. S. 32 (1891), Justice Brewer, affirming 72 Iowa 505 (1887)



- Sioux City and St. Paul Railroad Co. *v.* Countryman, 159 U. S. 377 (1895), Justice Harlan, affirming 83 Iowa 172 (1891)
- Sioux City Street Railway Co. *v.* City of Sioux City, 138 U. S. 98 (1890), Justice Blatchford, affirming 78 Iowa 367 (1889)
- Simpson *v.* Board of Supervisors of Kossuth County, 255 U. S. 579 (1920), per curiam, dismissing 186 Iowa 1034 (1919)
- Stryker *v.* Goodnow's Administrator, 123 U. S. 527 (1887), Justice Waite, affirming 62 Iowa 221 (1883)
- Stryker *v.* Goodnow's Administrator, 123 U. S. 540 (1887), Justice Waite, affirming 62 Iowa 221 (1883)
- Taft Co. *v.* Iowa, 252 U. S. 569 (1919), per curiam, dismissing 183 Iowa 548 (1918)
- Talbot *v.* Sioux City First National Bank, 185 U. S. 172 (1901), Justice McKenna, affirming 106 Iowa 361 (1898)
- Talbot *v.* Sioux National Bank, 185 U. S. 182 (1901), Justice McKenna, affirming 111 Iowa 583 (1900)
- Taylor *v.* Drainage District No. 56 of Emmet County, 244 U. S. 644 (1916), per curiam, dismissing 167 Iowa 42 (1914)
- Thomas *v.* Iowa, 209 U. S. 258 (1907), Justice Moody, dismissing 135 Iowa 717 (1907)
- Thomas *v.* Iowa, 215 U. S. 591 (1909), per curiam, dismissing 135 Iowa 717 (1907)
- Traer *et al.* *v.* Clews, 115 U. S. 528 (1885), Justice Woods, affirming 57 Iowa 459 (1881)
- Trebilcock *v.* Wilson *et ux.*, 79 U. S. 687 (1871), Justice Field, reversing 23 Iowa 331 (1867)
- Tuttle *v.* Iowa State Traveling Men's Association, 220 U. S. 628 (1910), per curiam, dismissing 132 Iowa 652 (1907)
- Wall *et al.* *v.* Banker's Life Co., 282 U. S. 808 (1930), per curiam, dismissing 208 Iowa 1053 (1929)

- Webster *v.* Reid, 52 U. S. 437 (1850), Justice McLean, reversing 1 Morris 467 (1846)
- Welles [Wells] *v.* Goodnow's Administrator, 123 U. S. 527 (1887), Justice Waite, affirming 67 Iowa 654 (1885)
- Wells *v.* Goodnow's Administrator, 150 U. S. 84 (1893), Justice Fuller, dismissing 78 Iowa 760 (1888)
- Wrenn *v.* Iowa, 263 U. S. 688 (1923), per curiam, affirming 194 Iowa 552 (1922)

Of this total, sixty-eight were dismissed for want of jurisdiction, by agreement, or because of technicalities involved in the rules of the court. Twenty-eight cases resulted in reversals of the decisions of the Supreme Court of the State of Iowa. The remaining appeals were affirmed by the Federal Court—a total of seventy-seven cases.

If we consider the cases which were dismissed as in effect being really cases where the Supreme Court of the State of Iowa was upheld, we find a total of one hundred and forty-five cases affirmed as against twenty-eight reversals. Only one case out of six appealed resulted in a reversal of the Iowa Supreme Court. This, other things being equal, seems to show a relatively high efficiency on the part of the Iowa judicial system.

ETHAN P. ALLEN



## LETTERS OF J. W. DENISON

[This is the second installment of letters written by J. W. Denison during 1855 and 1856. For an explanatory note on the letters and the first installment, see THE IOWA JOURNAL OF HISTORY AND POLITICS, January, 1933.—THE EDITOR]

Rock Island, Ill.

Jan. 28th 1856

Gentlemen:

You will probably have rec'd my letters from Council Bluffs & from Ft. Des Moines before this will reach you. You have also doubtless heard of the death of my loved Companion. The blow, though expected, was none the less severe, though it was any thing but expected at this time. For some 8 or 9 years has she been yielding to the Consumptive Destroyer. A short period during every Fall & Spring was severe. Last spring was more severe, and this last Fall still more so. Yet as she had apparently passed that period and commenced the Winter with improving health, we all thought that she would be with us at least till Spring, and hence both herself & friends united in advising me to return into Iowa to finish the business I had commenced. I did so. But owing to the irregularity of the mails in the Western part of the State, I was unable to receive a single line from them till I returned as far as Ft. Des Moines. And for the same reason they had heard nothing from me, and hence the anxiety of which you probably heard, they had for our safety. In the kind Providence of God, however, all is right. Yet bitter is the Cup I have to drink. I had never conceived what it was or might be to drink of *that* Cup of sorrow. Nor can any know but those to whom it is given to drink. We mourn;

yet not as those who have no hope. She died in the fullest assurance of that Faith which is the substance of things hoped for, the evidence of things not seen. May my last days be like hers.

Our children, two daughters — 4 and 7 of age, are with kind friends who care for their interests as a Mother.

I have been here a few days, but have not felt like writing, and especially upon business. I have again seen the gentlemen who propose taking the mill seat and opening business at the center of Crawford where we may direct. They are able to give the most satisfactory security, and such as I would be willing to guarantee. One of them however would want to go and see the place for himself before engaging definitely. The other is the gentleman that has been with me and whom I thought of sending in my place. The one that has not yet seen the place, thinks it unnecessary to go till he knows whether the means could be furnished for putting up the mill in case they should conclude to engage in the business. They think that the opening is a good one; at the same time they want some special inducement for going out and commencing in a new field to have the "rough and tumble of life" over again. The getting money at 10 per cent, they would regard, in *this* county, as a "special inducement." Besides this, one of the obligations I have given as an inducement to secure the County Seat is "to put up a Saw & Flouring Mill at some suitable point on the Boyer River, as soon as men & materials can be furnished."

Whether we secure the County Seat or not, but of which I have now little or no doubt, it will be of very great importance to have a good creditable mill. If there were a good mill, that would be a good store in connexion, which is also the purpose of said gentlemen, and this would draw patronage for the distance of from 30 to 70 miles around.



There are two or three mills within 30 or 40 miles, but they are decidedly "One horse concerns," and as such do not command the respect of the people, and are used only as necessity may require. A *good* mill at this point would command the business for a large extent of country around and in a year or so would, I have no doubt, do a very heavy business. All this would add to the value of property in its vicinity.

Another motive for securing these gentlemen, mentioned, is the circumstance of their being well & favorably known in Moline & Rock Island, but especially in Moline — the "Lowell of the West" where there are a number of worthy young men & families connected with various branches of machinery, and some if not many of whom, it is thought, can be induced to accompany them.

Since writing the letters from Council Bluffs & Ft. Des Moines I have learned that efforts are being made to run the "Air Line Rail Road," which is now in operation to Lyons (from Chicago) some 40 miles above Rock Island & Davenport, through the center of Crawford, and from which point to diverge to Council Bluffs & to Sioux City. An outline survey has been made, and report given that should they run the road even by Ft. Des Moines that from that place to Council Bluffs, via the center of Crawford, would require but  $\frac{2}{3}$  the expense of what it would require to run it *direct* from Ft. Des Moines to Council Bluffs. Others again think it would be best to run the road direct from Lyons, (on the West side of the Mississippi River,) West through that tier of counties corresponding with Crawford. The Sioux City people are interested in this road, let it run either way, as it would in either case be continued from Crawford to their City, thus making them the terminus of that Road as well as the one from Dubuque.

While at Crawford I met a surveyor from Dixon Ill, who

had been sent out by a Company to find an opening for a religious society. From him I learned much of the proceedings & plans of the "Air Line Rail Road," which runs through Dixon to Lyons and so far as I could learn he was planning for a point near the center of Crawford. But I "opine" that we are "a little" ahead of him, as he did not intend to decide *then*, designing to send another surveyor to attend to the business for him and who would probably make Crawford his home.

And this suggests another subject. The gentleman of whom I purchased the Mill Seat, owns 180 acres of the choicest kind of *timber*, and 380 acres of the first choice of Prairie making in all 560 acres. The improvements upon one of the lots would cost at least \$225, upon another lot \$150, & upon the premises, good lumber worth at least \$175, and 2000 good rails say \$50, making \$600, in improvements & materials. He offered to sell the whole for \$2600, to have his money by the 1st day of April, and will not sell the timber without the Prairie.

Now the Prairie land, however good & cheap, we might dispense with, and also the improvements, because these and the like can be bought again of others, though not as cheap as of him; but the *timber* land is of very great importance. We need that to sell out to actual settlers upon our Prairie farms, and whoever owns the *timber* will have an advantage over us that we ought not to allow them. Besides this, timber land will rise in value as fast as Prairie. This same land one year ago cost \$2.50 an acre. Now it sells for \$20. an acre. Want of *timber*, you are aware, is the great cry in this Prairie Country, and wherever it is found, it is grasped after with an eagerness, that in *my* judgment, does not always pay. But that does not alter the *fact*.

But what makes it more important at this time is, that



the said surveyor from Dixon is intending to send his agent to secure the land. I therefore took the precaution to secure a written refusal of the land till the first day of April. Upon presenting the subject to my Father in law, Prof. Briggs, he says that if you do not buy it, he will, so that I have concluded to write to the owner of the land that he can have his money at that time. The preference is of course yours. If you want it say so. If not say so. The amt. with me in your favor is \$1482.17 as the accompanying acct. will show. Some of this however will doubtless be required for meeting some excesses paid by *bidding* on the lands.

The money for the Mill would not be needed any faster than as the Mill progressed, and none of it till some time in the spring.

That, for the timber, should be here by the 20th of March, and by which time I could probably know what the excesses by bidding may amount to. I am in hopes that the amt. by Bidding will not amount to much. I gave orders how high to bid on the several pieces that I wished especially to secure and upon the rest of the land I limited the bidding to \$1.37½ per acre, on which the Land Warrants will apply as usual at \$1.25, per acre. That is, not to bid higher than that; and not that, of course, if it could be avoided.

In reference to transferring the property to the Company, it would save quite an item of expense to execute a single Deed describing therein all the property entered, instead of transferring the Duplicates or Certificates, as that would require a separate acknowledgement for each one, and serve no better purpose as I can see, than the Deed. Any way however to suit yourselves. I thought also it might be well to defer transferring what we have already secured till the whole be secured, and then transfer the whole at one time.

You will direct your reply to me at Rock Island, Ill. I would like very much, for various considerations to *see* you, and *possibly* I shall meet you *after* we have completed this Plat of "Denison City"!

Very Respectfully

Your Obt. Servt.

J. W. Denison

Your Drafts of the 11th and 14th inst \$2600. were duly received.

J. W. D.

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Rock Island Ill.

Feb. 7 1856.

Gent.—

Inclosed please find Land Warrant No. 22120, which has been returned to me "for another attesting witness." You can of course return it to the one of whom you purchased and demand and receive another in its place, not being obliged to receive the money unless you prefer. Probably the other attesting witness can be secured without much delay; in which case it be well to favor the "One" a few days as otherwise he would have to send it to me again for a re-assignment before he could again sell it, myself being now the assignee.

I perceive however that the Warrant originated in Maine so that probably more time than a "few days" would be required. The person therefore of whom you purchased said Warrant *ought* to give you another at once, and take his own time in perfecting the other. Or should Warrants now be less than what you paid, then the difference of course he should allow you, and that would not make you good, as the delay thus occasioned will probably make two or three months difference in the location of the Warrant.



I have received, as yet, no letter from you since my return from Iowa. You have probably been conferring upon my suggestion. I have now been in Rock Island two weeks. Have not returned into Iowa for the reason that I could see no special gain by doing so till our lands have been entered, to say nothing of the inclemency of the weather and the greater fall of snow since my return, making the travelling not only more unpleasant but more uncertain. Nor did I wish to return till I had heard from you in relation to the timber land and the Mill of which I wrote you.

The system of entering by "Ranges" works against all classes but those who avail themselves of the privilege of the Pre-Emption Act, and that class it especially favors. By it any one can obtain a Plot of any Township he may wish to examine, and especially after the Range of such Township has been past or while it is some distance from where they are entering at the Land Office, and then go on the ground, make his selection out of any of the lands not entered as shown by the Plot,—lay the foundation of a house,—(4 logs in a square, or the sods thrown out where the foundation is designed, is sufficient),—have evidence of the same,—go to the Land Office or send a Declaration of Intention to Pre-Emption,—pay one dollar for the filing of such Declaration, (and he has 30 days for filing such intentions, and 40 days when he wishes to enter it with a Land Warrant) and the land is at once secured, *provided* at the close of one year he pays the entrance money or the Warrant, and is able to "prove up;" And in order to "Prove up" he must be able to show that he was honest or acted in good faith in thus Pre-Emptying the land. The special requirements are not given. Circumstances are considered. One thing however is definite. He must *put up* his house and *live in it* during the year. If he is living near the land so that he *could* conveniently build his house with-

out delay, it would be expected of him to do so. If he should put up a house of some size instead of a small log house, it would be expected that would require more time. If he were living East, and should wish to make arrangements that would necessarily require more time, it would be granted; and should he engage some one to put [up] his house for him, he would not be expected to *live in it* till a reasonable time had been given for its completion.

Under this system therefore a community could be established without any difficulty or "bidding" or delays. And in this way we might settle some of the best portions of Crawford, and thereby enhance the value the more speedily of Crawford Centre where our lands are located. And with this view I have written to the Commissioner at Washington for more definite instruction as to what privileges might be extended to persons living East and wishing to avail themselves of the advantages of the Pre-Emption Act through an Agent living West.

A few days since I met Wm. Gallup Esq. of Schoharie, N. Y. and a cousin of your Gallup of Providence. Mr. Gallup had come out West with a view of purchasing an improved farm for himself that should cost some 5 or \$6000. Upon stating my plans to him, he concluded not to purchase till he should again hear from me, or see me, and said that if I would visit Schoharie, (a place noted for wealth) and form a community of that kind, he would be one of them, and that he had no doubt but there could be very readily ten or fifteen found with whom he would be willing to associate, that it would be just what he would like, but which he had not expected to effect. It would enable them to avail themselves of Government land and at the same time have a pleasant community around them.

This plan is similar to the one that I have heretofore suggested with this difference, the entrance money can be



paid one year after the land is secured instead of at the time of selection, and the certainty of securing the land selected, and giving them their lands adjoining instead of every other lot. This feature however could be varied at times and in places as we might prefer and determine. Our profits would be in the enhancing of the value of the lands we may have entered, as my plan would be to select lands along the main roads that lead to our lands,—also in the per centage we should charge them for securing their lands and attending to their business,—say 15 per ct. on the amt. invested. We should invest for *none* who would not invest at least 800 or \$1000. for improvements and entrance money. All that each one therefore would have to pay would be \$150. and which he could make at home in half the time that he could attend to the business himself, to say nothing of the expenses to which he would be subjected in thus attending to the business himself, and of the improbability if not impossibility of his making as good or as pleasant a selection.

Of this 15 per cent, the agent would have 10 per cent for attending to the business, and the Company 5 per cent for their profits saying nothing of the enhanced value of our lands.

This per centage for three or four persons would not pay. But for a hundred or more it would pay very well, and enable the agent to employ ample and able assistance.

Meantime some plan could be carried out for improving every other Lot of our own lands by selling to those who would improve them, in a similar way, through your agent, to an amt. of at least \$1000. I think that my time could be employed in some such way as this for a year to come to a better advantage than any other that could be devised. This is *my* judgment. *Yours* may be different.

Very Respectfully

J. W. Denison.

P. S. After I have *secured* the County Seat, and have duplicate certificates of the location of all the Warrants, I shall probably pay you a visit. J. W. D.

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Rock Island Ill.  
Feb. 25th 1856.

Gentlemen

Yours of the 12th inst. acknowledging the receipts of a number of mine, and requesting a reply as to the supposed cost of a Mill, is at home.

One of the best Mill Wrights in the City or in these parts, has made an out line estimate, and says that a Mill of the kind desired, would cost from 4 to \$6,000.

Have just rec'd a letter from Council Bluffs stating they were now entering (the 8th inst.) in Township 72, Range 36. The probability is therefore that by this time they have passed Ranges 37, 38 & 39, in which our Lands are situated. I shall probably know the result therefore in a week or so though it is my purpose to return to Crawford as soon as I receive your next letter of which you speak. As to the result of those lands I have selected, I have little or no doubt, especially the greater part of them, though it is possible that the "bidding" may require some of the balance I now have on hand in favor of the Company.

Dec. 10th 11th and 12th I located 25 Warrants of 120 acres each = 3,000 acres, and for which I have the Duplicate Certificates.

I have received a reply from the Commissioners at Washington, saying that persons living East, cannot avail themselves of the privileges of the Pre-Emption Act, by or through an agent living West, that they must in person make the selection, and have evidence thereof.

What I do therefore in the way of forming communities would be upon the plan first suggested, and to secure the



lands I wanted I should only have to "bid" high enough to secure them, and do this by the authority of those individually composing the Communities, and I am willing to stake my reputation upon the opinion that lands at \$2. an acre are cheap, though I have not authorised such bidding excepting one or two choice sections. I have just sold a lot of 120 acres 13 miles from Rock Island, that 3½ years ago cost me \$150. Last year I put about \$200. of improvements upon it, and I have now sold it for \$2490, or \$20.75 an acre. In from 3 to 5 years time, (in 1860) the Western part of Iowa will be as the Western part of Illinois in 1856.

Accompanying this is the "Council Bluffs Bugle," of the 12th inst. which has been sent me, and in which you can see what the Register of the Land Office of that District thinks of the Land investments,—that, were he supplied with sufficient force to do all this business which would be presented to his office, there would not be an acre of land, worth entering, unentered in one year from the date he was writing,—that it would all be taken up by the speculator,—that he and the Land Agent would be made rich, though at the expense of the prosperity of the Country." We admit this, but in *our* case, you aware, there is an exception! Always, of course. Yet without levity, it is evident that if the speculators and Land Agents will but adopt such measure as to secure the settlement and improvement of their lands, that it cannot be an injury to the Country, but the very thing that the Country needs, while it would and will secure to the speculator or such speculators still *greater* "riches."

We should see to it that at least *half* of our lands—alternate quarter or half quarter sections, are sold and so disposed of as to *secure* their *improvement*. Secure of course all we can for them,—but be the amt. what it may, *sell* them, or give a bond for a deed when thus improved.

This should be done during the present year, and at the same time do what we can towards settling up the County.

Hoping to hear from you at the earliest day convenient, I remain

Your most Obt. Svt.

J. W. Denison.

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Rock Island Ill.

Feb. 26th 1856

Gentlemen

Yours of the 19th inst. was received yesterday and subsequent to my mailing one for you. In that I stated, that an outline estimate had been made of the expense of such a Mill as the Parties wish, and that they make it from 4 to \$6,000. I presume that they could manage with four or five thousand dollars. They wish to have a Saw & Flouring Mill together, as the make of the ground peculiarly favors the combination. The bank on one side of the River is some 20 feet higher than the other, so that logs could be rolled in on the lower side, into the first story, and grain taken in on the other or higher side into the 2nd story, the distance from bank to bank across the stream being I should judge sixty feet.

As to the time required for the \$2600, for the timber purchase, I think I mentioned in one of my letters, that about the 20th of March would answer, while that for the Mill would be from time to time as the Mill progresses. I mentioned the 20th of March, but that would be no better than April 1st for the reason that I wish to be out there before that time and should want to take the means with me rather than to trust to the fidelity of "Uncle Sam's" Agents in the transmission of mails. I had thought of taking the same course that I did the other time when I went out, and which saved me paying any larger interest than what you



perceived I placed to your debit. I think it was but \$1.50. I arranged with Cook & Sargent of Davenport, for Certificates of Deposit. With these Certificates I could obtain the gold at the Banking & Exchange Houses in any of the prominent places West, by paying from 1 to 2 per cent exchange, the Certificates being made payable in Currency. As it would be at least four weeks before those certificates would be presented, the probability was that your Draft would arrive as it did so as to meet the certificate. By taking the same or a similar course again, I could make the certificate payable April 1st, with the understanding that your Draft would be on in season for meeting them.

The only loss in this course is the difference between what I have to pay for the gold, and what I can get for the Draft. The premium on Drafts allowed by the Banks is  $\frac{1}{2}$  per ct. while I generally have to pay  $1\frac{1}{2}$  per cent for specie. Whereas, the Draft, if I had it, would draw the specie at par. As I shall probably leave for Iowa in a few days and probably before this could reach you and answer returned, I think I had better procure Certificates payable in specie, April 1st, though they might not be presented for two weeks after that, with the understanding that as soon as the Draft should come, it would be given them by Prof. A. Briggs, to meet the Certificates. In this way I can probably save the necessity of paying anything either for exchange or interest, and be able to avail myself of the same advantage that your Draft now could give me.

The sooner therefore you could send the Draft, the more likely would I be to effect the arrangement with the Bank, and the more readily could I secure another similar arrangement at any future time should occasion require. I can this time effect the arrangement more readily than before, for the reason that your Draft did arrive a long time before the certificates were returned, and I should not have

had \$1.50 to pay had I not borrowed between 2 and \$300. of a private person who charged interest till the Drafts did appear. That was proper of course, as he did advance the *money*, while the Bank only gave the *paper*. I borrowed the money before I thought of the arrangement with the Bank, "We live to learn."

I will write you again before I leave, when I will let you know what arrangements I have made, and give directions as to my address etc.

Very Respectfully

J. W. Denison.

P. S. What the amt. of "bidding" may be I cannot say. I hope not much, as even at 10 cents an acre on 20,000 acres would amt. to the snug sum of \$2,000.

I shall want to take with me for such contingencies at least the balance I reported in your favor, a circumstance that did not occur to me when I reported such amount with the view of its applying towards the \$2600.

I would like to have you send me a blank form of or for the Deed which you wish me to make to the Company. If you give me the *exact* form, then of course you will all feel safe, and that is what I want. The transferring of such an amt. of property to a Company through their trustees so as to make it perfectly safe & beyond question, may be supposed by some to require a little thought, and as you have eminent jurists among your number, I should prefer referring that thought to them, not that I in the least question the legality or the expediency, after the explanation you made, and the second thought myself.

J. W. D.

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Rock Island Ill,  
March 6th 1856

Gentlemen

I have made arrangement with the Rock Island Bank,



Ill. for Drafts on New York for the \$2600, payable April 7th. I am to allow 1 per cent for the Draft — the current rate of exchange on New York, and the Bank is to allow  $\frac{1}{2}$  per ct. for the Draft you send, and six per cent interest from the time they receive it, till April 7th, when theirs mature. By this arrangement, I secure the money by paying but  $\frac{1}{2}$  per cent, less the amt. of interest which may accrue at the said six per cent.

None of the Banks were willing to give me Certificates payable in *specie*, without charging  $1\frac{1}{2}$  per cent between the same and your Draft, as exchange for gold with them is 2 per cent. In Ft. Des Moines Iowa it is 1 per cent, and at Council Bluffs it is  $1\frac{1}{2}$  per cent. At Council Bluffs however premium on Drafts is  $1\frac{1}{2}$  per cent, so that *there* the Draft or Drafts will draw the gold at par.

It is expected that the Draft from Providence will be here by the 20th inst. or thereabouts. The sooner the better, so that the Bank can have the benefit of its deposit a few days, and as they might at another time be more ready [to] extend a similar favor, should occasion require.

I expect to leave, the last of this or the first of next week. Should have left the first of this week, but for the hope that I might hear from the Land Office about this time. Shall not think it prudent to wait longer than the first of next week, lest I *might* fail from unfavorable roads and weather to meet my engagements at Crawford for that timber land. With ordinary traveling I can reach Crawford in seven days. Should I leave next Monday the 11th inst, I should have 20 days for meeting my engagement. That will probably be time enough, though none too much, as it is well to be on the safe side.

The Draft you will please make payable as before to my order, and Father Briggs will endorse it for me.

Land Warrant No. 22,120, which I sent you for another

attesting witness, has been received again. All right.

Very Respectfully

J. W. Denison

P. S. The Draft (Your Draft) *might* reach *Council Bluffs* by the first of April. But as there is not that certainty of the mails in Western Iowa, we thought it would not be safe to trust to that arrangement. Besides, the present arrangement is nearly the same as that would be. If your Draft were here one *month* before April 7th, the 6 per ct. from the Bank would just equal the  $\frac{1}{2}$  per cent we pay exchange, between the Drafts. If it should be here 15 days, as it very probably will be, the balance in their favor will be but  $\frac{1}{4}$  per cent, or only \$6.25. It is much safer therefore we think, to pay that small amt. than to run the risk of receiving your Draft in season at Council Bluffs.

You can address me at Council Bluffs, Iowa, for the next few weeks, and till otherwise directed.

J. W. D.

What was the result of the “\$2000. in currency” which I circulated?<sup>1</sup>

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Rock Island Illinois  
March 11th 1856

Gentlemen

I leave for Iowa in an hour or so.—Have closed the arrangements with the Rock Island Bank, giving them a note of \$2629, payable April 5th, for a Draft on N. Y. for \$2600. payable April 10th, with the understanding that your Draft will be here by the 20th inst & possibly sooner. Should be sorry to have any delays among “Uncle Sam’s Agents”, Would it not be well to divide the Draft & send half one day & the other half the next? Please address a line to Prof. A. Briggs the day after mailing, at his suggestion, as there

<sup>1</sup> See THE IOWA JOURNAL OF HISTORY AND POLITICS, January, 1933, p. 91.



*might* be a delay through the Post Office as on the other occasion.

Would like to have you address me at Council Bluffs advising of what you have done, as also giving me that form of transfer as requested in a former letter.

Very Respectfully

J. W. Denison.

P. S. Father Briggs who signed with me says he shall feel somewhat anxious till the said Draft is heard from.

J. W. D.

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Ft. Des Moines Iowa  
March 18/56

Gentlemen

All well.

Arrived about 11 A. M. at the Metropolis of Iowa. Found that in the Ft. Des Moines District, they are now entering promiscuously, instead of by Ranges. Have been doing so about 30 days. The reason is, that the lands in the District are so nearly taken up, that there is no object any longer to restrict the entries to the Range system. Besides, the lands that are left are but the *refuse*, or so reputed.

Learn also, that at the 10th inst. they were entering in the Council Bluffs District, in Township 72, Range 37. At the rate they are now entering, they probably have not yet passed the whole of Crawford County. I am afraid that the good people of Crawford will become impatient and wonder why the Commissioners for locating the County Seat, are not notified or do not make their appearance.

Shall soon know how matters stand.— Shall be *satisfied* though we should *not* secure the County Seat, as the more I hear, and the more I consider its position, the more important do I think the selection [of lands]. I leave again this afternoon for Crawford. You will probably not hear

from me again for some two weeks or more, as it will take me better than one week to reach Council Bluffs where I shall next write, and then it will take a week for it to reach as far as Ft. Des Moines where this will be mailed.

Very Respectfully

J. W. Denison.

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Council Bluffs, Iowa,  
April 7th 1856

Gentlemen,—

All well.

Have been about three weeks plodding our way via Crawford, through mud & water, hail & snow, frost and sunshine, to this so recently styled “jumping-off” place. Have had all kinds of baths as a luxury upon our way.— Sit baths, Pack baths, and Plunging baths, shared equally with the horses and the buggy. Some streams in the morning would be down; and at night would be from five to ten feet deep. Have had some decidedly cool experience and learned more what is meant by the “rough and tumble” of life. With a good safe team however, and a favoring Providence, we find ourselves still safe and in good spirits.

The County Seat in Crawford has not yet been located. The 27th inst. was set by the Commissioners for that purpose, although but one of them appeared and hence of course nothing was done. The probability is therefore that nothing in that line will be effected for several weeks and perhaps longer, so that hope revives again. Had they located it at the time appointed, it could not have been on our lands, as the land I had selected for that purpose was not yet entered. As it is, therefore, we have the prospects that we had last Fall or Winter, as they will probably be around to that “Range” with their entries at the Land Office before the Commissioners will again meet. There will prob-



ably be "bidding" upon the section I have in view for the County Seat; but then I "opine" that I can afford to give as much as any of them for *that* section.

"They are now entering" in Township 77. Range 38. Sometime this week they will pass through Crawford, & over about *half* of our selections, and it will then be near or quite three weeks longer before they will be around through the next Range 39, and in which is the section selected for the County Seat.

Have secured the land of Fowler, have the Deeds and paid the money. Took the Deeds in the name of "James S. Phetteplace & Francis E. Hoppin, Trustees of Prov. West. Land Company, Providence Rhode Island."

Have an opportunity of sending this letter by *private* mail as far as Ft. Des Moines if not Davenport.

Have received a line from Father Briggs, dated March 21st, stating that he had not yet heard from Providence.

Shall keep you advised of matters.

Respectfully,

J. W. Denison.

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Council Bluffs, Iowa  
April 9th 1856

Gentlemen.—

All right for this Range — 38. Have passed through this range to day, and we have secured 7,600 acres more, and *fortunately* with but *one* "bid", or bidding upon *one piece* and that at \$1.37 an acre. There would have been bidding very high had I not compromised a few pieces with one or two gentlemen. The first piece we came to was bid upon and run to \$1.40, when I gave it up. Afterwards learned that he was authorised to bid as high as \$1.75. That was yesterday. The next piece we secured at the \$1.37, through *mistake* — the other party thinking that it was *his*

bid. The next piece was secured by compromising — by changing one “Forty” for another so as not to clash. The Books were then closed till to day. Meantime we had compared numbers, and by changing three or four, and giving up about as many more, we reconciled the parties so as to secure every piece without a bid. One of the agents however expressed himself as very much disappointed in not having received a “certain letter” that was expected every day, as he was intending to have shared freely of my selections.

“Good luck” this time, but I am afraid we shall not fare quite as well next time — the next Range. One or two pieces that I gave up to day, ran as high as \$1.51 and \$1.59. While they were no better than those we secured, only that some one had *happened* to select them, & perhaps lived near them. One piece of 120 acres that I compromised for, I was offered \$250. for, on a time of one year, within a half hour after I had entered it. I asked him \$300. and he said he would give \$250.— give his note and take a bond for a deed. I gave him “two minutes for accepting my proposition”; and while he was talking the minutes passed, when I said to him that nothing less than \$400, would buy it, as I was satisfied it would bring \$5. an acre within 12 months, which would be \$500. It is a very good piece of land and has some ten or 15 acres of timber upon it.

I sent or mailed you a letter the 7th inst. which you have probably received. I stated in that that there would be about one half of our selections in this Range — 38. It was a statement from a cursory glance. We have now secured in all 10,600 acres — something less than half of what we have to enter. From present prospects I judge that they will pass over the next Range — 39, within two weeks time, when our “fate” will be more definitely decided. The rush



for land is very great, and the rise of land in value about keeps pace with the rush.

Very Respectfully,

J. W. Denison

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Council Bluffs Iowa  
April 21 1856

Gentlemen.

I have the pleasure to say, that I have located Land Warrants for you in Crawford Co, Iowa to the am't of 20,200 acres, including six *Cash* entries—five Forties & one Eighty, isolated pieces upon which the Warrants could not apply, but which were important lands.—Also, that far from what I had dared to hope, I had to pay but \$560.80 in “*bidding*,” averaging as you will see less than three cents an acre. Still the excitement was high, and some pieces ran to \$3.10 an acre. That bid was between other parties. I lost one lot of 120 acres at \$3.02 an acre, having bid as high as \$3.01 myself or through my agent. This was the only piece I lost, that I specially wanted, and I have since learned that the purchaser would have run it to \$5.00 an acre. It was on Section No. Eleven (11) all the rest of which I secured, and upon which I *hope*, and certainly shall *endeavor* to secure the County Seat. Since losing the said 120 acres, I have concluded that it is all for the best, as I have secured the cooperation of the purchaser in my plans for the County Seat. He is one of the principal Bankers in the place—Council Bluffs,—Col. Thos H. Benton Jr. (a nephew of Col. Thos. H. Benton) of the firms of Green, Weare & Benton. All three of the Firm are leading and are influential men. Col. Benton was the purchaser and with him I have formed a written agreement. He is to give 40 acres, if the County Seat be located any where upon section 11. If upon *his* lands, he will give the 40 acres to

the County,— & if upon *my* lands, as he calls it — he will give *me* the Forty, or an undivided half of 80 acres adjoining the town. Should there be a Forty between his land and the Forty selected by the County, he will give me one of his three Forties, and he will also, in either case, bridge the East Fork of the Boyer, and authorize the County Judge to build it and draw upon him for the money as it is needed, while I am to hold out certain other inducements which shall be sufficient if possible to secure the object.

There are one or two other parties with whom I would like to compromise in some way, and thus secure the influence of those who would otherwise be strongly competing for the same thing. Shall probably know in a few weeks more definitely the result of County matters. I might have added above, that the said bridge would probably cost between two and three hundred dollars.

There were some spirited times in bidding. There had been nothing equal to it in any part of the District. Up to this time the bids seldom went higher than \$1.35 or \$1.40. But the first entry made in Crawford, run up to about \$2. an acre. There were but two or three entries that day, and as I was not as much interested in that Range as I would be on the next, I thought it better to Compromise with the conflicting claims, lest the excitement should be too high for profit in the next Ranges and we saved much by the compromise. But when they entered Crawford again in the next Range the bidding commenced, and I was obliged to *run* them, and *did* run them and secured, as I said, everything that I wanted except the 120 acres, but which I have since turned to good account. The excitement was no greater *in doors* than *out doors*, wondering what there was “up there in Crawford”, which made lands so high, and the conclusion seemed to be, that Crawford must be “something of a place”.



“There is no great loss without some small gain”. The bidding might appear to be a loss. But no one thing could hardly been planned for bringing Crawford into notice better than the *bidding*. You need not keep the County a *secret* any longer. It is all “out”.

The remaining Warrants, 20 of them of 120 acres each = 2400 acres, are provided for in another good place, nearer Council Bluffs & upon the line of Rail Road from Rock Island to Council Bluffs. Will write you again soon.

Respectfully, J. W. Denison.

P. S. Yours of ——— was received the 13th inst, all right. I am going up to Crawford to-morrow or next day to look after things, & when I return I will write again.

J. W. D.

The next day we again compromised & saved much *bidding*, having first secured the land which I very much wanted.

J. W. D.

P. S. We now have in Crawford, including second handed land, near 21,000 acres, and about \$500 worth of lumber and improvements.

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Council Bluffs, Iowa  
May 1st 1856

Gentlemen

I have been in Crawford and obtained Commission to go after the Commissioners for locating the County Seat and bring them with me to the field of action. My services are to be gratuitous if the county seat be located upon our lands, otherwise not. I flatter myself that we shall be favored with the Seat of JUSTICE in Crawford County. Still it is not uncommon to have a “slip between the cup & lip.”

The “rush” is becoming still greater in the Land Office, — a *regular crowd*.

Very Respectfully,

J. W. Denison.

P. S. We are having a regular thunder shower today, so much so, that although I am "neither sugar nor salt," I do not relish the thought and much less the act of the experiment.

Farmers have been ploughing, & sowing their spring wheat for the last two or three weeks, and prospects are favorable that they will reap a good harvest.

There have been several Boats up the Missouri to this point, and business begins to look up.

Should Council Bluffs prove to be the terminus of the M. & M. Rail Road, as is generally supposed, it will in time be "quite a place!"

Sioux City has a *name*, but I question whether it will be the terminus of the R. Road from Dubuque, West. The country back is said to be too rough.

The State House is now located or determined to be at Ft. Des Moines, a circumstance of a little interest to *some*, among whom is your humble writer. More anon.

J. W. D.

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Council Bluffs Iowa

May 5th 1856

Gentlemen —

It takes *time* you perceive to accomplish *anything* and especially *somethings*. Last Thursday the 1st inst. I left Council Bluffs for the Commissioners. Friday about 12 oclock M, I found one of them and was told that his *term* was out, the 60 days required by law during which they were to do their work. That he was present at the time set, the 27th of March,—one of the others being sick, & the other detained by high water. He thought however with myself that the Judge whose duty it is to appoint & reappoint would if requested and under the circumstances reappoint them, and as I was somewhat favorably im-



*pressed* with the gentlemen I concluded I would seek a *re-appointment*. Accordingly I returned, to Council Bluffs and here learn that Judge Riddle is holding Court in Harrison County. Hope therefore to see him *to-morrow* at Magnolia where he is holding court. One of the Commissioners lives in Harrison Co., one in Monona County, North, and the third in Shelby County, East.

When the "wheels roll round" therefore, you may expect to know the result, if we faint not.

The rest of our entries will be made *probably* some time next week, and although there are but some 2,000 acres to enter, I expect nevertheless to have a young *Rail Road City* growing up thereabouts.

Thought I would not fill out said Deed till the County Seat question is settled as I shall have to deed to the County 40 acres in case we secure the County Seat. Presuming that it would be all right with you I made the *promise* to do so, and should it not be satisfactory with the Company of course I will make it so, judging that the County Seat would be worth at least Forty acres of government lands. If I should deed it to you before that question was settled, it *might* interfere somewhat with my plans for securing the object as I would then be dependent upon your action and could not therefore act *now*,—whereas *now* is the *time*. Had I known it would have been so long before settling the question I could have had time for writing & receiving a Power of Attorney for selling to the County such lands. As it was however, it was safer I supposed, as I have no doubt also you suppose, for me to be able to act *when* the *County* was ready.

Very Respectfully

Your Humble serv't

J. W. Denison

Council Bluffs Iowa  
May 10th 1856

Gentlemen.—

I have now with me the *reappointments* of the oft mentioned Commissioners for locating the County Seat of Crawford County. In my last letter I remarked that it took *time* to accomplish somethings, and you will probably think that it is true, at least in *this* case. I then stated that I had been in Harrison County to see one of the Commissioners, & was told that their time — 60 days — had expired since they had received notice of their appointment, — that I therefore returned to Council Bluffs to secure their reappointment, — that upon arriving here I found the Judge, — who has the appointing power — *absent*, — that I had to return to Harrison County to see him where he was holding Court. I did so, and the day I arrived where I expected to find him, he reached Council Bluffs! This was making slow progress, and especially during such rainy & muddy times as we are now enjoying. I had my horses *mired* on the way, far worse than I had ever experienced, and myself about as bad or effectually in my necessities to relieve them. The same night I was obliged to stop where I could have no *hay* for my horses. — Corn a plenty. The next night, had hay, corn & *oats*, to which they were accustomed in this Country of Corn. This was Saturday morning with a good days drive before me for the “Bluffs” where I was fated to return. Horses were *free* all the way through “thick & thin.” — but the moment I stopped at the Pacific House, one of the horses layed down some what more *speedily* than common. For 4 hours I had no hope of his rising. In about six hours however he was promising better, but is still weak. Hope to be able to leave again to-morrow — Tuesday, for the Commissioners. To-day is rainy & very unpleasant. The traveling will be bad and



progress slow. Still we hope to succeed, if we faint not.

Were you here in the Land Office you would think it a fortunate thing that our lands came in market some two or three weeks ago. As I had expected, the fever for lands, has increased with the opening spring, and thousands of acres are entered here every day that have never been seen by those making the entries, and in very many cases have never been seen by the "*white man*". Men are here from all parts of the Country and are bidding on all most every thing that comes up, and especially where there is any talk of a Rail Road. Most of the balance of our Warrants have been located to-day.—Have only two or three Warrants more, which will be located very probably to-morrow. Have not yet received the returns from the Land Office, to know what the "excesses" amount to, though they will be somewhat more in proportion than what they were in Crawford, considerably more. Still they are very choice locations and are on the line of the Rail Road from Rock Island through Ft. Des Moines to Council Bluffs and within some 22 miles from Council Bluffs—about on or at the *elbow* of the Road where it turns down on "*Musquite*" or "*Pigeon*" for the Bluffs. Among these lands, I have entered a section in company with the Agent for Cook & Sargent, and who has entered so much along the line of the Rail Road and of whom I have before spoken—Sam. Perin. We are to lay off a town, divide the Blocks between us, and then deed to the Companies for whom we are laboring. But more about this some other time when I have returned from my County mission.

Very Respectfully

J. W. Denison  
Rock Island Ill,  
May 28th 1856

Gentlemen,

I have the pleasure to say that the County Seat of Craw-

ford County has been located upon the oft mentioned Section No. Eleven (11) and upon the precise point therein where it best suits our interest. It was located last week on Wednesday, and without even my consent or counsel or any of my great uncles after whom I suppose they named it, the Locating Commissioners had the presumption to call it Denison. It is situated at the junction of the Forks of the Boyer River and about one mile & a half from the Geographical Center of the County. What is of special interest in the location is, that it is not only upon the lands of the Company, but is precisely where the true interest of the County require it.

We may think ourselves most fortunate in the progress of the concern thus far. I had not located the last Warrant but a few days before the Land Offices were closed. This is the more fortunate when we remember how long we waited for them to come around to our Range — from last December to the middle of this month. Had we been delayed a very short time longer, our Warrants would have been of little account, & our whole arrangements and expectations broken up, and our only recourse would have been to rush with the many others in the same trouble to the North of all the Rail Roads, or North of this state. This step however would have been a hopeless one since the crowd would be so great and bidding so high, to say nothing of taking the lands that we did not want. The wheel of fortune rolled round in season and we are *safe*!

You have, without doubt, noticed the grant of lands to the four principal Rail Roads running through Iowa, which was the occasion of the closing of the Land Offices. Your interest in public lands could not allow you to pass unnoticed such an act of Government, and you have doubtless traced the lines of those roads upon the map to see if any of them should run through Crawford, and you saw as



quick as I did that the Road from Lyons North Westerly to a certain point and thence West on or as near as practicable the 42nd degree of latitude, to the Missouri River, runs directly through the County Seat of Crawford, and where, by a natural necessity, the Road must run, following the bottom of the East Fork to its junction, crossing the main stream or Fork as it is called, & thence Westward along the West Fork or "Big Branch" as it is called. Our entries therefore are not only upon one of the roads, but are at a central & prominent point, and the certainty of their being a rich investment has, without a possible question, become [illegible].

My settled opinion is also that in due time there will be two other Rail Roads crossing at this point, the one connecting the Dubuque Road from some point West of Ft. Dodge, with Council Bluffs,—and the other connecting the Davenport & Ft. Des Moines Road from a point some 30 miles North West of Ft. Des Moines with Sioux City. Yet without that, we are *safe*, and future Roads may take any course they list.

The balance of the Warrants as before expected were located at the Elbow of the Rail Road from Davenport to Council Bluffs, where it bends from the North in Harrison Co. down the Pigeon Creek to the Missouri, as I wrote you from Council Bluffs.

I left Crawford the day after the County Seat was located to attempt the sale of lots at Moline that I had advertised for sale at auction to-day, the 28th. Besides I felt that I could freely take *one* good long breath. I intend to return soon and lay off the two towns — at Crawford & Harrison, then shall probably visit Providence. I have more to say but no more time *now*. Will write again tomorrow or next day, and make explanation about "matters

& things'' as also some of the wants of Crawford. We need more *timber land*, as I will explain.

Very Respectfully

Your Obt. Servt

J. W. Denison

P. S. I should have said, what you probably know, that the ''Iowa Central Air Line Rail Road,'' from Lyons West through Crawford, is now completed & in operation from Chicago, through Dixon, to Fulton on the East side of the Mississippi River, immediately opposite Lions, and is under contract and now being graded eighty miles back from Lions into Iowa.

It would be nothing strange to see this Road completed to the Missouri River as soon as the Rock Island & Council Bluffs Road, and for this reason, the latter Road cannot be benefitted so much by the said grant of land, as most of the land along the line of that Road has already been entered, whereas the lands upon the Lions Road have not been sought after so much, upon the supposition that it might be a long while before the Road would be built. The lands therefore upon that line are mostly vacant, so that the Company can have the *means* for progressing as rapidly as hands can press it forward. Add to this the ambitious and indomitable energy of the Managers of the Road, and the prospects of an early completion thereof are still more encouraging.

The Deed to the lands in Harrison Co. I have executed to you as per blank form of Deed sent me, excepting Section 25-78-42, upon which we are to lay off the towns. The East half of the Section was entered in my name, the West half and the name of Ira Cook with the understanding that he was to Deed to me an undivided half of his half, & I to him an undivided half of my half. We would then lay off a town on the best part of the Section, divide the blocks &



again redeed an undivided half of said Blocks. As Ira Cook lived in Ft. Des Moines we could not effect the arrangement while I was in Harrison Co. I therefore made out the Deed as above stated & had it recorded at Magnolia. On my return through Ft. Des Moines, I effected the arrangement with said Cook & we both sent our Deeds to Magnolia for recording. Did not have time to make out the Deed to the Crawford property but will do so soon, & have it recorded while I am there laying off the town — Denison!

Very Respectfully

J. W. Denison

## SOME PUBLICATIONS

*The History of the Quaker Oats Company.* By Harrison John Thornton. Chicago: The University of Chicago Press. 1933. Pp. 279. Map, plates. This volume is an interesting illustration of the new economic history and one of the few accounts of a "big business" organization written from the point of view of the historian and scholar. In this history of the Quaker Oats Company, Mr. Thornton, who is Assistant Professor of History at the State University of Iowa, has presented a cross section of manufacturing and business methods covering the period from 1854 to the present.

The book includes chapters on Oats in History, The Early Oatmeal Millers of America, Rivalry and Consolidation, Oats and the Human Appetite, Changing the American Breakfast, Oats and the Scientist, The Milling Process, The Commercial Preparation of Animal Feeds, The "Quaker" in Court, Building a World-Market, and A Century of Progress. It is also provided with footnotes, an extensive bibliography, and a comprehensive index. The book is attractively printed and bound and is well illustrated. The story of the Quaker Oats Company is more than a recital of corporate history; it presents also changes in the eating habits of people, legal complications, industrial and labor problems, and inventions. It is of special interest to Iowans since one of the largest of the Quaker Oats plants is located at Cedar Rapids.

*My Ninety-Five Milestones.* By Margaret Fletcher Kent Paine. Chicago: Austin C. Murray. 1932. Pp. 146. Plates. This is a brief autobiography of a woman who was born on an island in Lake Champlain in the year 1835 — only two years after Iowa had been opened to white settlers — and came to Iowa just before the Civil War. In 1861, while a student at Fayette College, she was married to Jason Paine, and spent some twenty years as the wife of an itinerant minister of the Methodist Episcopal Church, chiefly in Iowa towns.



The book is made up of intimate stories of personal and family experiences and has little general information of the long period covered, except as conditions affected the writer's personal fortunes. It is, however, an interesting portrayal of the life of an ordinary woman over a long period of time. The volume is attractively printed and bound.

*The Pathbreakers from River to Ocean.* By Grace Raymond Hebard. Glendale, California: The Arthur H. Clark Company. 1932. Pp. 312. Plates, maps. As its name suggests, this volume is the story of the pioneer explorers, traders, missionaries, and builders in the land between the Missouri River and the Pacific Ocean. Coronado, Lewis and Clark, the fur traders, the trails westward, Whitman, Father De Smet, Brigham Young, Frémont, gold, Indians, cowboys, and railroads form a kaleidoscopic story of the advance of white men and American activities westward.

The volume is extensively illustrated with maps and pictures, many of the latter being by William H. Jackson. It is provided also with notes and references and an index. Although this book is good reading, it is also suitable for use as a text-book or supplementary reader in schools.

*Chardon's Journal at Fort Clark 1834-1839.* Edited with historical introduction and notes by Annie Heloise Abel. Pierre, South Dakota: Department of History, State of South Dakota. 1932. Pp. 458. Plates. Francis A. Chardon was an employee of the American Fur Company or one of its subsidiary companies and belonged to the Upper Missouri Outfit. During the years covered by the Journal, he was in charge of the fur trade at Fort Clark. Chardon was of French extraction, fairly well educated for a man of his type.

The Journal entries are, for the most part, brief accounts of the weather, the killing of rats and buffalo, activities at the post, news of the Indians, domestic events, sometimes interspersed with comments on life. On Sunday, February 15th, 1836, for example, Chardon wrote in his Journal: "Mild Beautiful Weather. The Indians went across the River in search of Cattle — but returned late in the Evening without haveing seen any . . . . I could not help

feeling this evening — (Whilst gazing round on this dreary, Savage waste,) That could I at this moment hear even the tinkling of a sheep bell — much less the Solemn toll of the church going bell, that the joyful Sound would repay Me for whole Months of privation.”

The printed Journal includes copious notes by the editor, an historical introduction, a series of appendices relating to the fur trade at Fort Clark at the time Chardon was there, and a detailed and complete index.

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*The Source of Mrs. Sigourney's "Indian Girl's Burial"*, by Philip D. Jordan, has been reprinted in pamphlet form from the November, 1932, number of *American Literature*.

*Indian Affairs and Their Administration, With Special Reference to the Far West, 1849-1860*, a thesis by Alban W. Hoopes, has been published recently by the University of Pennsylvania.

*The Preservation of Local Archives A Guide for Public Officials*, prepared by the Public Archives Commission under the direction of the American Historical Association, has been published in pamphlet form.

A publication of interest to Iowa students of history is Volume I of the *Guide to Materials for American History in the Libraries and Archives of Paris*, by Waldo G. Leland, published by the Carnegie Institution of Washington in 1932.

*The Iron Manors of the North*, by R. A. Boehringer; *Tennessee and Its First Inhabitants*, by Philip M. Hamer; *The "Good White Father" of the Nauset Indians*, by Lucy E. Treat; *Mary Rowlandson's Narrative*, by John Nelson; and *The Tragic Romance of the Huguenot Village at Oxford*, by John Nelson, are the articles and papers in the issue of *Americana* for January.

In addition to the usual reports, the first volume of the *Annual Report of the American Historical Association*, for 1931, contains the report of the Committee on Linguistic and National Stocks in the Population of the United States, including the following articles: *National Stocks in the Population of the United States as*



*Indicated by Surnames in the Census of 1790*, by Howard F. Barker; *The Minor Stocks in the American Population of 1790*, by Marcus L. Hansen; and *The Population of the American Outlying Regions in 1790*, also by Marcus L. Hansen.

*Venetian Shipping during the Commercial Revolution*, by Frederic Chapin Lane; *The English Game Law System*, by Chester Kirby; and *The Reaction of British Labor to the Policies of President Wilson during the World War*, by Carl F. Brand, are the three articles in the January issue of *The American Historical Review*. The number also includes *World War Analogues of the Trent Affair*, by Thomas A. Bailey; *Another Dispatch from the United States Consulate in New Orleans*, contributed by Arthur P. Whitaker; and *A Secret Military Document, 1825*, contributed by James J. Talman.

#### WESTERN AMERICANA

*Glimpses of Creole Life in Old St. Louis*, by Eugenie Berthold, has been published in pamphlet form by the Missouri Historical Society at St. Louis.

*The Attack on the Upper Mississippi Nine-Foot Channel Project*, an address by A. C. Wiprud, before the Traffic Club of Memphis, Tennessee, has been printed in pamphlet form.

The Pennsylvania Historical Commission has issued in pamphlet form the *Summary of the Proceedings of the Pennsylvania Historical Convention*, held at State College, on September 15-17, 1932.

*The Development of State Control of Highways in Texas*, by Frank M. Stewart; and *Two Years of Farm Relief in Louisiana*, by Amos W. Ford, are two of the articles of general interest in the December, 1932, number of *The Southwestern Social Science Quarterly*.

*An Inventory of the Manuscripts and Miscellaneous Collections of the Historical Society of Western Pennsylvania* has been issued in pamphlet form by the Western Pennsylvania Historical Survey

as *Bibliographical Contributions*, No. 1. Mr. Solon J. Buck is Director of the Survey.

*Dr. Daniel Drake, 1785-1852*, by J. Christian Bay; *The Building of Middlesborough*, by Charles Blanton Roberts; and part one of the *Calendar of Bond and Power of Attorney Book No. 1, Jefferson County, Kentucky, 1783-1798*, by Ludie J. Kinkead and Katharine G. Healy, are the three articles in *The Filson Club History Quarterly* for January.

*The Missouri Historical Review* for January contains the following articles: part one of *Abiel Leonard*, by Frederic A. Culmer; *The Study of Missouri Place-Names at the University of Missouri*, by Robert L. Ramsay; *The Founding of Ste. Genevieve, Missouri*, by Mrs. Ida M. Schaaf; and part ten of *Joseph B. McCullagh*, by Walter B. Stevens.

*The Kansas Historical Quarterly* for November, 1932, includes the following articles and papers: *The Military Phase of Santa Fé Freighting, 1846-1865*, by Walker D. Wyman; *The Emigrant Aid Company in Kansas*, by Samuel A. Johnson; *Diary of Samuel A. Kingman at Indian Treaty in 1865*; and *Defense of the Kansas Frontier, 1868-1869*, by Marvin H. Garfield.

*Mid-America* for January, 1933, contains the following three articles: *The Canadian Jesuits and the Fur Trade*, by Patrick J. Lomasney; *Bishop Bruté of Vincennes, 1779-1839*, by Gilbert J. Garraghan; and *The Passing of an Old Custom — La Guignolée*, by Ida M. Schaaf. Under *Documents* the number contains *Correspondence on Indian Removal, Indiana, 1835-1838*.

The January number of *The Washington Historical Quarterly* includes the following articles: *The Formation of the Puget's Sound Agricultural Company*, by Leonard A. Wrinch; *Pioneer Experience in Walla Walla*, by William S. Clark; *Nathaniel Jervis Wyeth*, by Philip Henry Overmeyer; *Dropping the "H" from Port Townsend*, by Edmond S. Meany; and a document, *Early Letter from the Methodist Mission*, written by Cyrus Shepard, January 10, 1835.



*Why History Needs to Be Rewritten*, by Robert Carlton Clark; *More About the Brig Pedler, 1813-16*, by Kenneth W. Porter; *Social History of Jackson County*, by William Pierce Tucker; *Diary of Maria Parsons Belshaw, 1853*, by Joseph W. Ellison; *Portland Public Schools, 1845-71*, by Charles N. Reynolds; *Spalding Mission, 1843*, by Nellie B. Pipes; and *Peter Corney's Voyages, 1814-17*, by J. Neilson Barry, are the papers and articles in *The Oregon Historical Quarterly* for December, 1932.

*Pitfalls of the Biographer*, by Rupert Hughes; *A Generation of the Frontier Hypothesis: 1893-1932*, by Frederic L. Paxson; *Reopening the Anza Road*, by George William Beattie; *Archives of the Russian Church in Alaska in the Library of Congress*, by V. Basanoff; *The Project for a French Settlement in the Hawaiian Islands, 1824-1842*, by George Verne Blue; and *Frederick F. Low and the Tientsin Massacre*, by Paul Hibbert Clyde, are the articles which appear in *The Pacific Coast Historical Review* for March.

The 1932 Fall Number of *The Quarterly Journal of the University of North Dakota* contains three articles on historical subjects: *The Maligned Decade*, by George W. Spohn; *Fannie Heath — "Flower Woman of North Dakota"*, by Pearl Heath Frazer; and *The Rise and Development of Athletic Sports in the United States, 1860-1900*, by Felix J. Vondracek. The Winter Number for 1932-1933 includes the following articles: *North Dakota Literary Trails*, by Helen J. Sullivan, and *Present Status of Chain Retailing*, by Spencer A. Larsen.

An address by Charles N. Haskell on the twenty-fifth anniversary of the admission of Oklahoma; *Salt Works in Early Oklahoma*, by Grant Foreman; *Recollections of Peter Hudson; Ben Williams, Frontier Peace Officer*, by Hubert E. Collins; *General Stand Watie*, by Mabel Washbourne Anderson; *George Shannon*, by Daisy Shannon; *The Grand June Council*, by Lydia Huntly Sigourney; *John Rollin Ridge in California*, by M. A. Ranck; and *The Indians' Friend, John H. Seger*, by Dan W. Peery, are articles and papers in the *Chronicles of Oklahoma* for December, 1932.

The January number of the *Journal of the Illinois State Histori-*

*cal Society* contains the following articles and papers: *The Pre-History of Illinois*, by Fay-Cooper Cole; *Early Editors and Newspapers of Vermillion County*, by Arnold Ward; *An Unnoted Factor in the Buchanan-Douglas Feud*, by Richard R. Stenberg; *Camp Butler in the Civil War Days*, by Helen Edith Sheppley; *Some Phases of the History of Alexander County*, by Laura Milford Rife; and *The Reconstruction of New Salem: Ceremonies at the Laying of the Cornerstone*.

The Winter Number of the *Michigan History Magazine* contains the following articles and papers: *Ethan Allen's Migration to Michigan*, by Lucius E. Allen; *Frederick Bates*, by William L. Jenks; *Robert Budd Ross*, by George B. Catlin; *Experiences of a Pioneer Minister*, by A. S. Badger; *An Early Description of Detroit*, by Willam Renwick Riddell; a continuation of *The Early Days of the University of Michigan*, by Wilfred B. Shaw; *A Systematic Study of Local History*, by Harlow Lindley; and a sketch of the life of Clarence M. Burton, donor of the Burton Historical Collection at Detroit.

*Minnesota History* for December, 1932, contains the following papers and articles: *On the Trail of the Woodsman in Minnesota*, by Agnes M. Larson; *The Winona Legend*, by G. Hubert Smith; *Highways and History*, by Willoughby M. Babcock; *The Coming of the Latter Day Saints to Otter Tail County*, by Alta Kimber; *The Radisson Problem*, by Albert M. Goodrich; and *The Geologic Origin of the Savanna and Prairie River Portages*, by Irving Harlow Hart. Under *Notes and Documents* there is a report on the Goucher College Collection of Mayer Water Colors, by Bertha L. Heilbron.

*Letter of Col. Nathaniel Hart on the Claims of Boonesboro as the First Place of Settlement in Kentucky*, edited by J. T. Dorris; *The Lexington and Ohio Railroad — A Pioneer Venture*, by T. D. Clark; *History in Circuit Court Records — Fayette County*, abstracted by Charles R. Staples; *State Archives — General Expenditures of Government — 1792-1798*, compiled by Mrs. Jouett Taylor Cannon; and the report of the secretary of the Society are in-



cluded in *The Register of the Kentucky State Historical Society* for January.

*The Wisconsin Archeologist* for July, 1932, includes the following articles and papers: *Sieur Charles de Langlade*, by Theodore T. Brown; *Uses of Wood and Bark Among the Wisconsin Indians*, by Charles G. Schoewe; *The Origin and Distribution of Copper Artifacts*, by Anton Sohrweide; *What a Season Brings Forth*, by Geo. Overton; *Archeological Finds in the Uintah Basin in Utah*, by Albert B. Reagan; and *A Visit to the Indian Sugar-bush Ceremonials*, by J. F. Wojta. *Archeological Research in Wisconsin*, by Earl H. Bell; and *The Art of the American Indian*, by Herbert W. Kuhm, are the two articles in the issue for October, 1932.

*Fort Jesup — Fort Selden — Camp Sabine — Camp Salubrity: Four Forgotten Frontier Army Posts of Western Louisiana*, by J. Fair Hardin; *Rapides Parish, Louisiana,— A History*, by G. P. Whittington; *Education in Louisiana in the Closing Decades of the Nineteenth Century*, by Edwin Lewis Stephens; *The Natchez Rebellion of 1781 and Its Aftermath*, by John Caughey; *History of the American Party in Louisiana*, by W. Darrell Overdyke; *A History of Concordia Parish, Louisiana*, by Robert Dabney Calhoun; *John McDonogh — Slave Owner*, by Lane Carter Kendall; and continuations of *Records of the Superior Council of Louisiana*, compiled by Heloise H. Cruzat, and *Index to Spanish Judicial Records of Louisiana*, compiled by Laura L. Porteous, are articles and papers in the January issue of *The Louisiana Historical Quarterly*.

*Nashotah House Wisconsin's Oldest School of Higher Learning*, by J. H. A. Lacher; and *New York Agriculture Meets the West, 1830-1850*, by Russell H. Anderson, are the two articles in *The Wisconsin Magazine of History* for December, 1932. Under *Documents*, there are a number of letters from the La Pointe Mission, written by Mrs. F. Sproat. The March, 1933, issue contains the following articles: *Wisconsin Man Inventor of Folding Film Roll Kodak Features*, by Myfanwy Morgan Archer; *The Hutchins Family in Wisconsin*, by W. A. Titus; *The "Jacobs' House"*, by Ruth

Harman and Charlotte Lekachman; and *New York Agriculture Meets the West, 1830-1850*, by Russell H. Anderson. Under the title Editorial Comment, Joseph Schafer presents *The Courts and History — Again*.

*Development of Irrigation in the Arkansas Valley*, by Joseph O. Van Hook; *Experiences in a Mushroom Mining Camp*, by T. H. Proske; *Mountain Men — Louis Vasquez*, by LeRoy R. Hafen; *A Preface to the Settlement of Grand Junction*, by Walker D. Wyman; and *La Plaza De Los Leones* (Walsenburg), by Louis B. Sporleder, are the contributions printed in the January number of the *Colorado Magazine*. The March number includes: *Governor Waite and His Silver Panacea*, by Leon W. Fuller; *The Founding of Fort Collins, United States Military Post*, by Agnes Wright Spring; *Mountain Men — John D. Albert*, by LeRoy R. Hafen; *Experiences in Leadville and Independence, 1881-82*, by Mrs. M. B. Hall; *Kit Carson County's Ghost Towns*, by H. G. Hoskin; and *Across the Plains in a Prairie Schooner*, from a diary by Elizabeth Keyes.

*Oliver Pollock and the Free Navigation of the Mississippi River*, by James A. James; *The Moravians and Their Missionaries, a Problem in Americanization*, by Marie J. Kohnova; *A Politician of Expansion: Robert J. Walker*, by H. Donaldson Jordan; *John Sherman and Reconstruction*, by James G. Randall; *Herbert Levi Osgood*, by Homer J. Coppock; *George Washington and the Chickasaw Nation, 1795*, by A. L. Crabb; and *A Postscript to the Founding of New Madrid*, by Milledge L. Bonham, Jr., are the papers and articles in *The Mississippi Valley Historical Review* for December, 1932. The March, 1933, number contains the following articles and papers: *The Treaties of Portage des Sioux*, by Robert L. Fisher; *The United States in the 1850's as Seen by British Consuls*, by Laura A. White; *Outlaws and Vigilantes of the Southern Plains, 1865-1885*, by C. C. Rister; *The Lure of Pioneering in Historical Research*, by Russel J. Ferguson; *Justice Campbell and the Dred Scott Case*, by E. I. McCormac; and *Some Political Aspects of the Dred Scott Case*, by Richard R. Stenberg.



## IOWANA

*Sioux City A True Story of How It Grew*, by Rose A. O'Connor, has been published in pamphlet form by the Public Library of Sioux City.

Louis N. Duchaine has compiled and published in two small volumes a history of Salix in Woodbury County, including events in Liberty and Lakeport townships. The books contain much biographical material for the region in addition to local history.

The January number of *The Journal of the Iowa State Medical Society* contains the majority report of the Committee on the Costs of Medical Care; *The Cost of Being Sick*, by Gordon F. Harkness; and *History of the Nursing Profession in Iowa from 1904 to 1931*. The February issue presents the minority report and *Historical Statistics Regarding the College of Medicine, State University of Iowa at Iowa City*, by John T. McClintock. This article is continued in the March number.

The *Annals of Iowa* for January, 1933, contains the following articles and papers: a continuation of *The Aftermath of the Spirit Lake Massacre March 8-15, 1857*, by Frank I. Herriott; *A Bit of Judicial History Pertaining to Jasper County, Iowa*, by Henry Silwold; *Thomas Gregg's Letters to the New York Express*, by Philip D. Jordan; and *Willard Barrows' Defense of His Original Survey of Salt Creek Township, Davis County, Iowa*.

The depression has increased the interest in economic affairs and the publications of the Iowa State College of Agriculture and Mechanic Arts reflect this interest. *An Economic Analysis of Farm Mortgages in Story County, Iowa, 1854-1931*, by William G. Murray, makes up *Research Bulletin*, No. 156. *The Agricultural Emergency in Iowa*, which has been appearing in the *Agricultural Experiment Station Circulars*, is continued in February with *Circulars* Nos. 144, 145, and 146. The first contains *The Iowa Tax Situation*, by John A. Hopkins, Jr.; No. 145 has *Monetary Inflation*, by Geoffrey Shepherd and Wallace Wright; and No. 146 presents *How Tariffs Affect Farm Prices*, by Theodore W. Schultz.

The October, 1932, number of *Midland Schools* contains an

article on *Early Mississippi Steamboats*, by William J. Petersen; and *Henry Sabin — An Appreciation*, by A. M. Deyoe. The November number includes *Iowa in the World War*, by Frank Miles, and *D. Franklin Wells, 1830–1868*, by F. C. Ensign. *The Early Days of Railroad Building*, by C. Ray Aurner; and *Abbie Stone Abbott*, a tribute by Arthur Deamer, are two articles in the issue for December, 1932. *William Miller Beardshear*, a tribute by W. R. Boyd; and *Development of Public Education in Iowa*, by Forest C. Ensign, are two historical articles in the number for January, 1933. The February issue includes *Early Grain Farming in Iowa*, by Louis Bernard Schmidt; and a tribute to Christopher Columbus Nestlerode, by C. Ray Aurner. Leonard Fletcher Parker is the subject of the tribute in the March number, which contains also *Governing Iowa by Political Convention*, by W. O. Payne.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Ball, Carleton Roy,

*Grain Sorghums, Salvation of the Dry Lands* (Home Geographic Monthly, December, 1932).

Ball, Otho Fisher,

*In Defense of Good Health* (New Outlook, January, 1933).

Becker, Carl Lotus,

*Capitalizing History in the School* (Education, December, 1932).

Beer, Thomas,

*Privacy* (The Saturday Evening Post, January 14, 1933).

Black, Forrest Revere,

*Socialism and the Constitution* (World Tomorrow, February 1, 1933).

Bliven, Bruce,

*Technocracy and Communism* (The New Republic, February 1, 1933).



- Bolton, Frederick Elmer,  
*Current Events a Required Course in Secondary Education*  
 (Education, January, 1933).
- Brewer, Luther A.,  
*Leaves from a Leigh Hunt Note-Book.* Cedar Rapids: The  
 Torch Press. 1932.
- Brueckner, Leo John, (Joint author)  
*Technique for Comparing the Difficulty of Problems in Text-  
 books in Arithmetic* (The Elementary School Journal, De-  
 cember, 1932).
- Collins, Hubert E.,  
*Ben Williams, Frontier Peace Officer* (Chronicles of Oklahoma,  
 December, 1932).
- Cook, Mrs. Elizabeth,  
*Home, With Variations* (The Delineator, February, 1933).
- Crawford, Nelson Antrim,  
*Literature in the Open Spaces* (The American Mercury, Octo-  
 ber, 1932).
- Crowell, Grace Noll,  
*Gifts* (poem) (Good Housekeeping, December, 1932).  
*Hungry Man Is at My Door* (poem) (The Literary Digest,  
 January 14, 1933).  
*Not One Day Only* (poem) (Missionary Review, November,  
 1932).  
*Resolve For Every Morning* (poem) (Good Housekeeping,  
 January, 1933).  
*Sampler* (poem) (Good Housekeeping, February, 1933).
- Curme, George Oliver,  
*Award of the Chandler Medal* (Science, January 20, 1933).
- Dickson, Leonard Eugene,  
*Eliakim Hastings Moore* (Science, January 20, 1933).
- Dolliver, Frances,  
*Blocks* (The P. E. O. Record, February, 1933).

Duchaine, Louis N.,

*Salix*. Sloan, Iowa: Published by the author. 1933.

Engle, Paul,

*Elegy for a Shy Lady* (The New Republic, September 14, 1932).

Ensign, Forest C.,

*Development of Public Education in Iowa* (Midland Schools, January, 1933).

Gallaher, Ruth A.,

*Pioneers in Person* (The Palimpsest, February, 1933).

Gjerset, Knut,

*Norwegian Sailors in American Waters*. Northfield, Minn.: Norwegian-American Historical Association. 1933.

Gode, Marguerite,

*Health by the Clock* (Hygeia, February, 1933).

Greene, Harry Andrew,

*A Criterion for the Course of Study in The Mechanics of Written Composition* (University of Iowa Studies in Education, Vol. VIII, No. 4). Iowa City: State University of Iowa. 1933.

Hall, James Norman,

*Captain Nicklemagnet and the Gangsters* (Harper's Magazine, February, 1933).

*Skip, a Strong Icelandic Noun* (The Atlantic Monthly, February, 1933).

Hattwick, Melvin S., (Joint author)

*The Measurement of Musical Development* (University of Iowa Studies in Child Welfare, Vol. VII, No. 1). Iowa City: State University of Iowa. 1933.

Hebard, Grace Raymond,

*The Pathbreakers from River to Ocean*. Glendale, California: The Arthur H. Clark Company. 1932.



Hegner, Robert William,

*Your Internal Menagerie* (Scientific American, December, 1932).

Henderson, Rose,

*Playthings and Health* (Hygeia, December, 1932).

Herriott, Frank I.,

*The Aftermath of the Spirit Lake Massacre March 8-15, 1857* (Annals of Iowa, January, 1933).

Hopkins, John A., Jr.,

*The Iowa Tax Situation — An Analysis for Farmers* (Agricultural Experiment Station Circular, No. 144). Ames: Iowa State College, 1933.

Hueston, Ethel Powelson, (Mrs. E. J. Best)

*That Hastings Girl*. Indianapolis: The Bobbs-Merrill Company. 1933.

Keyes, Charles Reuben,

*Shall Iowa Have National Monuments* (The Iowa Journal of History and Politics, January, 1933).

Knight, Frank Hyneman,

*Can We Vote Ourselves Out of the Fix We Are In?* (Christian Century, February 1, 1933).

Kresensky, Raymond,

*Emmaus, Luke 24, 13-35* (Poems) Cedar Rapids: The Torch Press. 1932.

Lechlitner, Ruth, (Mrs. Paul Corey)

*Shadows of Leaf* (poem) (The Nation, November 30, 1932).

Lees, James H.,

*The Geology and Topography of Northeastern Iowa* (The Iowa Journal of History and Politics, January, 1933).

McCord, Joseph,

*Bugles Going By* (McCall's, February, March, 1933).

*Silver Linings*. New York: A. L. Burt Company. 1932.

- McElroy, Margaret,  
*Reviewing the New Furniture* (House and Garden, February, 1933).
- McKibben, Julia Baldwin,  
*Fifty Years a P. E. O.* (The P. E. O. Record, January, 1933).
- McVey, Frank Le Rond,  
*Ebb Tide in Education* (School and Society, January 21, 1933).
- Manning, J. W.,  
*Kentucky Justices of the Peace* (The American Political Science Review, February, 1933).
- Martin, Everett Dean,  
*Civilizing Ourselves; Intellectual Maturity in the Modern World.* New York: W. W. Norton and Co., Inc. 1932.
- May, Earl Chapin,  
*Prairie Pirates.* New York: Duffield and Company. 1932.
- Merriam, Charles Edward,  
*Government and Society* (Survey Graphic, January, 1933).
- Merriam, Charles Edward, (Joint author)  
*The Government of the Metropolitan Region of Chicago* (Social Science Studies, No. 26). Chicago: University of Chicago Press. 1933.
- Merriam, John C., (Joint author)  
*The Felidae of Rancho La Brea.* Washington, D. C.: Carnegie Institution. 1932.
- Mott, Frank Luther,  
*Early Iowa Editorial Conventions Full of Interest to Veterans* (The Iowa Publisher, January, 1933).  
*Early Iowa Editors Combine Business With Pleasure in Conventions* (The Iowa Publisher, February, 1933).
- Murray, William G.,  
*An Economic Analysis of Farm Mortgages in Story County, Iowa, 1854-1931* (Research Bulletin, No. 156). Ames: Iowa State College. 1933.



Myrick, Kate C.,

*A Gleaning from Nature Writers for the P. E. O.* (The P. E. O. Record, February, 1933).

Newton, Joseph Fort,

*Angel in the Soul.* New York: Harper and Brothers. 1932.

O'Connor, Rose A.,

*Sioux City A True Story of How It Grew.* Sioux City: The Public Library. 1932.

Payne, W. O.,

*Governing Iowa by Political Convention* (Midland Schools, March, 1933).

Pelzer, Louis,

*Squatter Settlements* (The Palimpsest, February, 1933.)

Petersen, William J.,

*Historical Setting of the Mound Region in Northeastern Iowa*  
(The Iowa Journal of History and Politics, January, 1933).  
*To the Land of Black Hawk* (The Palimpsest, February, 1933).

Pierce, Bessie Louise,

*Citizens' Organizations and the Civic Training of Youth.*  
New York: Charles Scribner's Sons. 1933.

Preston, Howard H.,

*The Wooden Money of Tenino* (Quarterly Journal of Economics, February, 1933).

Richardson, Mrs. Anna Steese,

*National Groups Go in for Civics* (Woman's Home Companion, February, 1933).  
*Sixty Years; What They Have Taught Me About Doctors*  
(Hygeia, February, 1933).

Robinson, James Harvey,

*Metternich Redivivus* (The Nation, November 9, 1932).

Ruggles, Clyde O.,

*Problems in Utility Economics and Management.* New York: McGraw-Hill Book Company. 1933.

Schlesinger, Arthur Meier,

*The Rise of the City 1878-1898.* New York: The Macmillan Company. 1932.

Schmidt, G. Perle,

*The Spirit of a Pioneer Mother* (The Belle Plaine Union, February 9, 1933).

Schmidt, Louis Bernard,

*Early Grain Farming in Iowa* (Midland Schools, February, 1933).

Schultz, Theodore W.,

*How Tariffs Affect Farm Prices* (Agricultural Experiment Station Circular, No. 146). Ames: Iowa State College. 1933.

Shaw, Albert,

*Highways and Railroads* (Review of Reviews and World's Work, February, 1933).

Shepherd, Geoffrey, (Joint author)

*Monetary Inflation* (Agricultural Experiment Station Circular, No. 145). Ames: Iowa State College. 1933.

Shultz, Gladys Denny,

*Your Neighbors' Children* (Better Homes and Gardens, February, 1933).

Shuttleworth, Frank Kayley,

*Placing the Financial Burden of Higher Education on the Student* (School and Society, January 28, 1933).

Sievers, Clement H., (Joint author)

*The Measurement of Musical Development* (University of Iowa Studies in Child Welfare, Vol. VII, No. 1). Iowa City: State University of Iowa. 1933.

Silwold, Henry,

*A Bit of Judicial History Pertaining to Jasper County, Iowa* (Annals of Iowa, January, 1933).



Stimpson, George W.,

*Things Worth Knowing*. New York: A. L. Burt Company. 1932.

Stoddard, George Dinsmore,

*Hardest Parent Problem* (Parents' Magazine, February, 1933).

Sunday, William A.,

*The Sawdust Trail* (Ladies' Home Journal, February, April, 1933).

Swisher, Jacob A.,

*The Half-breed Tract* (The Palimpsest, February, 1933).

Taylor, Alonzo Englebert,

*Projected Waterways in North America as Related to the Export of Wheat* (Wheat Studies, Vol. VIII, No. 9). Stanford University: California Food Research Institute. 1932.

Thornton, Harrison John,

*The History of the Quaker Oats Company*. Chicago: University of Chicago Press. 1933.

*The National Scene* (The Palimpsest, February, 1933).

Weaver, James B.,

*James Depew Edmundson* (The Palimpsest, January, 1933).

White, Roland A.,

*Amanas as Their Neighbors See Them Since the Recent Changes to Modernism* (The Iowa Publisher, November, 1932).

Williams, Harold M., (Joint author)

*The Measurement of Musical Development* (University of Iowa Studies in Child Welfare, Vol. VII, No. 1). Iowa City: State University of Iowa. 1933.

Willson, Dixie,

*King Was in His Counting House* (The Delineator, February, 1933).

*Little-Boy Thoughts* (poem) (Good Housekeeping, February, 1933).

Wilson, Margaret,

*London Land Transaction* (The Atlantic Monthly, February, 1933).

Wright, Wallace, (Joint author)

*Monetary Inflation* (Agricultural Experiment Station Circular, No. 145). Ames: Iowa State College. 1933.

Wyatt, Edith Franklin,

*Remonstrance* (poem) (The Literary Digest, January 25, 1933).

Wylie, Josephine,

*That Right Beginning, a Good Soup* (Better Homes and Gardens, February, 1933).

#### SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Alone at night on the prairies, by Ellis E. Wilson, in the *Waterloo Courier*, December 25, 1932.

James Harlan was first Senator to visit Boone County, by C. L. Lucas, in the *Madrid Register-News*, December 29, 1932.

Memoirs of Quaker Divide, by Darius B. Cook, in the *Dexter Sentinel*, December 29, 1932.

Old Indian trails in Pottawattamie County, in the *Council Bluffs Nonpareil*, December 30, 1932.

Iowan describes stage coach robbery in early sixties, in the *Washington Journal*, December 31, 1932.

Letter reveals New Year's celebration of 1860, in the *Fort Dodge Messenger and Chronicle*, December 31, 1932.

Beginnings of Linn County, in the *Cedar Rapids Gazette*, January 1, 1933.

Diamond jubilee of settlement of Hudson, in the *Waterloo Courier*, January 1, 1933.

Sketch of the life of Charles Albert Roberts, in the *Fort Dodge Messenger and Chronicle*, January 2, 1933.



Sketch of the career of Benjamin F. Osborn, in the *Jefferson Bee*, January 3, and the *Grand Junction Portrait & News*, January 5, 1933.

Cook County Democratic Marching Club of Chicago attended Horace Boies inauguration, in the *Marshalltown Times-Republican*, January 4, 1933.

Genealogical record of Washington County, by Mrs. C. A. Speer, in the *Washington Democrat-Independent*, January 5, 9, 16, 26, February 2, 9, 16, 23, March 2, 9, 1933.

Early days around Pella recalled by settlers, in the *Pella Chronicle*, January 5, 1933.

Sketch of the life of Mrs. Judith Clark, in the *North Iowa (McGregor) Times*, January 5, 1933.

*Tipton Advertiser* entering eightieth year, in the *Tipton Advertiser*, January 5, 1933.

John Hindman established first Methodist church in Fayette, in the *Oelwein Register*, January 6, 1933.

Burlington was important river port, in the *Burlington Hawk-Eye*, January 8, 1933.

Students write historical essays on Jefferson, in the *Jefferson Bee*, January 10, 1933.

W. W. Wilcox has old coins, in the *Dallas County (Adel) News*, January 11, 1933.

Cornerstone of Iowa capitol contains many interesting relics, in the *Lake Mills Graphic*, January 11, 1933.

Sketch of the life of Charles H. Faris, in the *Farmington News-Republican*, January 12, 1933.

Tipton chosen county seat of Cedar County in 1840, in the *Tipton Conservative*, January 12, 1933.

Bitter feuds in Harrison County over location of seat of government, in the *Harrison County (Logan) Herald*, January 12, 1933.

Genealogical record of Poweshiek County, by Mrs. F. R. Porter, in the *Grinnell Herald*, January 13, 20, February 10, 21, 1933.

Ellis Museum at Maquoketa receives many contributions, in the *Jackson (Maquoketa) Sentinel*, January 13, 1933.

George Brada makes model of De Witt Clinton train, in the *Charles City Press*, January 13, 1933.

Blizzard swept middle west in 1888, in the *Sioux City Journal*, January 13, 1933.

Discover almanac of 112 years ago, in the *Charles City Press*, January 14, 1933.

Early days in Cedar Rapids, by Adeline Taylor, in the *Cedar Rapids Gazette*, January 15, 1933.

First Muscatine city directory issued in 1857, in the *Muscatine Journal*, January 16, 1933.

Sketch of the career of Demetrius E. Morris, in the *Council Bluffs Nonpareil*, January 18, 1933.

Sketch of the life of Mrs. Elizabeth Ellsworth, in the *Cedar Rapids Gazette*, January 18, 1933.

Sketch of the life of Senator John H. Judd, in the *Russell Union-Tribune*, January 19, 1933.

Many Iowans donated to "Drake Estate", in the *Emmetsburg Democrat*, January 19, 1933.

Old coal mine tunnel discovered near Dexter, in the *Dexter Sentinel*, January 19, 1933.

Outlaw attempted to move county seat of Boone County, in the *Madrid Register-News*, January 19, 1933.

Sketch of the life of Mrs. W. W. Walker, in the *Ottumwa Courier*, January 19, 1933.



Early days in Decatur County, by Mrs. Lela Kirk Parker, in the *Decatur County (Leon) Journal-Reporter*, January 19, 26, 1933.

Pioneer days in northeast Iowa, by Mrs. Nettie Kraft, in the *Oelwein Register*, January 21, 1933.

Mr. and Mrs. Perry Hartman are pioneers of Boonsboro, in the *Boone News-Republican*, January 21, 1933.

Sketch of the life of John A. Reed, in the *Manchester Democrat Radio*, January 24, 1933.

Early days in Greene County, in the *Jefferson Bee*, January 24, 1933.

Decorah youths explore cave near Harmony, Minnesota, in the *Lawler Dispatch*, January 25, 1933.

Bily brothers exhibit unique collection of clocks carved from wood, in the *Decorah Journal*, January 25, 1933.

Greenback county convention held at De Witt, in the *De Witt Observer*, January 26, 1933.

Early newspaper reveals more local advertising, in the *Central City News-Letter*, January 26, 1933.

Early days in David recalled by Clint Addington, in the *Mitchell County (Osage) Press*, January 26, 1933.

Harvey Dean recalls old times in Mills County, in the *Glenwood Opinion-Tribune*, January 26, 1933.

Map of 1680 shows Iowa as a "Land Full of Wild Bulls", in the *Muscatine Journal*, January 26, 1933.

Sketch of the life of A. C. Morgan, pioneer, in the *Webster City Freeman-Journal*, January 26, 1933.

A century of Iowa Presbyterianism, in the *Bellevue Leader*, January 26, 1933.

Howard Kreig has a large collection of old guns, in the *Guttenberg Press*, January 26, 1933.

Atlantic Northern Railroad still in operation, in the *Red Oak Sun*, January 27, 1933.

B. L. Esmay recalls first auto trip across Iowa in 1900, in the *Clinton Herald*, January 28, 1933.

State bank was organized in Iowa in 1858, in the *Council Bluffs Nonpareil* and *Waterloo Courier*, January 29, 1933.

Sketch of the life of Dr. Max E. Witte, in the *Clarinda Herald*, January 30, 1933.

Early days in Jefferson, in the *Jefferson Bee*, January 31, 1933.

Mrs. Thomas Lytle came to Iowa in covered wagon, in the *Waterloo Courier*, February 1, 1933.

Dr. C. A. Hurd relates early history of Worth County, in the *Northwood Anchor and Index*, February 2, 1933.

Sketch of the life of Ray Boody, veteran auto racer, in the *Eldora Herald-Ledger*, February 2, 1933.

Decorah pioneers have voted for many presidents, in the *Decorah Public Opinion*, February 2, 1933.

Unearth prehistoric tusk near Mason City, in the *Mason City Globe-Gazette*, February 3, 1933.

Hawkeye Oak at Fort Dodge is selected as most beautiful oak in Iowa, in the *Fort Dodge Messenger and Chronicle*, February 4, 1933.

Mrs. Iola Plumley was first white child born in Rockford, in the *Mason City Globe-Gazette*, February 4, 1933.

Sketch of the career of Rear Admiral Wat T. Cluverius, in the *Burlington Hawk-Eye*, February 5, 1933.

Mrs. Charles E. Wilcox recalls old times in Black Hawk County, in the *Waterloo Courier*, February 5, 1933.

Sketch of the life of Edwin C. Lane, editor, in the *Clarinda Herald*, February 6, 1933.



Sketch of the life of De Witt Harris Winget, pioneer editor, in the *Clinton Herald*, February 6, 1933.

Unearth prehistoric relics near Canton, in the *Jackson (Maquoketa) Sentinel*, February 7, 1933.

Many historic family names in Sioux County, by Fred Reinders, in the *Sheldon Mail*, February 8, 1933.

Sketch of the life of O. A. Garretson, in the *Burlington Gazette*, February 9, 1933.

Early days in Adams County, in the *Adams County (Corning) Free Press*, February 9, 1933.

Forgotten towns in Boone County, by C. L. Lucas, in the *Madrid Register-News*, February 9, 1933.

Hermits of Decatur County, by Mrs. Lela K. Parker, in the *Leon Reporter*, February 9, 1933.

C. H. Robinson is pioneer of Marion County, in the *Knoxville Journal*, February 9, 1933.

Sketches of Henry County history, by Olive C. Smith, in the *Mount Pleasant News*, February 10, 1933.

Log cabin at Burlington century old, in the *Burlington Gazette*, February 11, 1933.

Jackson Hilleary farm established near Skunk River in 1833, in the *Burlington Hawk-Eye*, February 12, 1933.

Lincoln often visited Phelps home at Oquawka, in the *Burlington Hawk-Eye*, February 12, 1933.

O. J. Pruitt is student of prehistoric teeth, in the *Council Bluffs Nonpareil*, February 12, 1933.

C. R. Thomas recalls hard times in Hancock County, in the *Britt News-Tribune*, February 15, 1933.

Mrs. Sarah Tuttle was Iowa pioneer, in the *Tama News-Herald*, February 16, 1933.

History of Y. W. C. A. Camp at Okoboji, in the *Spirit Lake Beacon*, February 16, 1933.

History of Stuart, by Louise Slauson, in the *Stuart Herald*, February 16, 1933.

Mrs. G. A. McKenzie has rare collection of antiques, in the *Centerville Iowegian*, February 17, 1933.

Military service of Colonel Charles J. Wilson, in the *Washington Journal*, February 18, 1933.

Columbia was ghost city in Des Moines County, in the *Burlington Gazette*, February 18, 1933.

John Mericle was first white child born in Webster County, in the *Webster City Freeman-Journal*, February 20, 1933.

Mr. and Mrs. George W. Mattern are pioneers of Donnellson, in the *Keokuk Gate City*, February, 20, 1933.

Sketch of the career of Judge G. W. Burnham, by Elmer Barnes, in the *Cedar Valley (Vinton) Times*, February 22, 1933.

Hogs driven to Ottumwa from southwest Iowa, in the *Humeston New Era*, February 22, 1933.

White men were first to navigate Okoboji and Spirit Lake, by Hattie P. Elston, in the *Spirit Lake Beacon*, February 23, 1933.

Mrs. Carrie Barker is nearest living relative of George Washington, in the *Dubuque Telegraph-Herald*, February 23, 1933.

By stagecoach from Garden Grove to Leon, in the *Decatur County (Leon) Journal-Reporter*, February 23, 1933.

Montezuma sought railroad in fifties, in the *Montezuma Republican*, February 23, 1933.

Sketch of the life of J. F. Grawe, in the *Des Moines Tribune*, February 24, and the *Bremer County (Waverly) Independent*, March 1, 1933.

Indiantown was once thriving settlement, by B. L. Wick, in the *Le Grand Reporter*, February 24, 1933.



Mrs. Anna B. Alt started telegraph operator career at Homestead, in the *Cedar Rapids Gazette*, February 26, 1933.

Herrmann Museum has many rare antiques, in the *Dubuque Telegraph-Herald*, February 26, 1933.

Hiram Penn came to Iowa in the fifties, in the *Council Bluffs Nonpareil*, February 26, 1933.

L. J. Duncan has Salt Lake City scrip of 1898, in the *Shenandoah Sentinel*, February 28, 1933.

Pioneer days in Palo Alto County, by Henry Funkley, in the *Ruthven Free Press*, March 1, 1933.

George W. Shadle was Indian scout, in the *Cedar Rapids Gazette*, March 1, 1933.

John Clark was pioneer Decatur County business man, in the *Decatur County (Leon) Journal Reporter*, March 2, 1933.

History of Deep River, in the *Montezuma Republican*, March 2, 1933.

A. C. Swain has old map of United States, in the *Eldora Herald-Ledger*, March 2, 1933.

Railroads ruined town of Union, in the *Eldora Herald-Ledger*, March 2, 1933.

Clifton Olson, Iowa aviator, tells of early experiences, in the *Decorah Public Opinion*, March 2, 1933.

Sketch of the life of Albert M. Holman, in the *Sioux City Tribune*, March 3, and the *Sioux City Journal*, March 7, 1933.

"Tama Jim" Wilson was Iowa's first Secretary of Agriculture, by H. G. McMillan, in the *Des Moines Register*, March 5, 1933.

Pioneer Dubuque through the eyes of visitors, by I. J. Semper, in the *Dubuque Telegraph-Herald*, March 5, 1933.

Many Indian mounds found in Des Moines County, in the *Burlington Hawk-Eye*, March 5, 1933.

Pioneers of Delaware County voted in William Bennett cabin, by Ray Anderson, in the *Cedar Rapids Gazette*, March 5, 1933.

## HISTORICAL ACTIVITIES

The Missouri Historical Society held a meeting at the Jefferson Memorial at St. Louis, on February 23, 1933. Charles L. Van Tourenhout gave an address on "Old Ste. Genevieve".

The Mississippi Valley Historical Association will hold its twenty-sixth annual meeting at Chicago on April 13-15, 1933, with special sessions at the Chicago Historical Society and the McKinlock Campus of Northwestern University.

The Chicago Historical Society formally opened its new building in Lincoln Park at Chicago on November 12, 1932. The building, the fifth to be occupied by the Society, makes provision for the library and a museum which has a number of period rooms portraying the history of the region.

The Mississippi Valley Historical Association held its mid-winter meeting at Toronto, Canada, on December 27-29, 1932, in connection with the American Historical Association. The program for the joint session, prepared under the supervision of Carl Wittke of the Ohio State University, included a paper on "The Royal Navy as a Factor in the British Control of the Old Northwest, 1760-1796", by Nelson Russell of Coe College, and "Railway Land Policies in Canada and the United States", by James B. Hedges.

### IOWA

The *Lake Park News* has gathered and printed much valuable information concerning the early history of Lake Park.

The Frank Ellis Museum at Maquoketa continues to receive many interesting and valuable additions to its collections.

The city of Burlington will observe its hundredth anniversary in September, 1933. Heads of all civic organizations will be asked to coöperate in the program.



The Howard County Historical Society held its monthly meeting at the public library on March 13, at 7:30 P. M. Mrs. Irene Smith gave a talk on early schools and teaching in Howard County.

A museum of historical relics of Clarinda and Page County is being added to the Clarinda public library through the coöperation of the library trustees, the Clarinda Women's Club, and the Chamber of Commerce.

The week of August 6-12, 1933, has been selected by Dubuque for the celebration of its centennial celebration. Exhibits, pageants, and an historical play by Dr. H. G. Langworthy will feature the celebration.

The Norwegian-American Historical Museum will occupy the building formerly housing the Lutheran Publishing House of Decorah. Dr. Knut Gjerset, curator, announced the formal opening of the museum during the early summer of 1933.

The annual meeting of the Madison County Historical Society was held on Tuesday, March 7, 1933. Don Berry of Indianola gave the main address and Mrs. Fred Hartsook read a paper on covered bridges in Madison County. President Herman Mueller and Secretary E. R. Zeller were reëlected.

Lloyd White gave an address at the annual meeting of the Webster County Historical Society on February 11, 1933. Almost nine thousand persons have visited the museum of the Society since its opening in May, 1931, according to a report by Maude Lauderdale, curator. On November 19, 1932, there were 276 visitors.

John M. Mercer, Burlington attorney, is chairman of the centenary committee of the Iowa Baptist convention which will meet in Burlington in the fall of 1934. The 100th anniversary of the denomination in Iowa will be observed and a marker will be placed on the spot where the first Baptist church was organized on October 20, 1834.

The Pioneer Club of Des Moines held its thirty-ninth annual dinner at the Hotel Fort Des Moines on January 21, 1933. Judge

John J. Halloran and C. S. Denman were the principal speakers. Jay N. Darling urged the building of an old time Des Moines home in which the furniture, heirlooms, and pictures of early days in Des Moines might be preserved. The members endorsed this plan. Officers elected for the coming year were George L. Garton, president; William M. Lewis, vice-president; and Guy M. Brandt, secretary-treasurer.

#### THE STATE HISTORICAL SOCIETY OF IOWA

On March 14, 1933, Dr. Benj. F. Shambaugh, Superintendent of the State Historical Society of Iowa, gave a radio address on the problem of farm relief, speaking from Chicago over the Blue Network of the National Broadcasting Company. The talk was part of the weekly broadcast sponsored by the American Political Science Association.

The general theme for Iowa History Week for 1933 — April 17-22 — is "The White Tide Breaks", the story of the coming of the first white settlers to the Black Hawk Purchase in 1833. As an aid in the observance of this anniversary, the State Historical Society of Iowa devoted the February issue of *The Palimpsest* to a description of the national scene in 1833, the routes of the first settlers to Iowa, the first settlements in the Black Hawk Purchase and in the Half-breed Tract, and a portrayal of the types of pioneers who made up the first settlers. In addition to this, a series of sixteen radio programs is being given over stations WSUI at Iowa City and WOC-WHO at Davenport, covering the dates from March 16th to April 21st.

Several hundred articles taken from the pre-historic mounds and village sites in Allamakee County have recently been added to the archaeological collection of the State Historical Society. These articles, representing chiefly the Oneota culture, include copper ornaments, stone axes and hammers, pipes, grinding stones, pottery and pottery fragments, and bone implements, and were collected by Mr. Ellison Orr of Waukon who has been interested in the pre-historic remains in his vicinity for some fifty years. They were



donated by him to the State Historical Society to be preserved as part of the representative collection of Iowa archaeological materials made by Dr. Charles Reuben Keyes, who for the past ten years has been engaged in making an archaeological survey of Iowa under the auspices of the State Historical Society. The materials collected by Dr. Keyes from various parts of the State and those donated by Mr. Orr make a varied collection of pre-historic articles of great interest to students and probably one of the best in the State. The articles deposited by Mr. Orr in the archaeological museum at Iowa City are only a part of his collection. Many other articles are to be placed in the museum as fast as they are catalogued.

The following persons have recently been elected to membership in the Society: Miss Dana Crane, Mt. Pleasant, Iowa; Mrs. Geo. S. Tracy, Burlington, Iowa; and Martin L. Seltzer, Des Moines, Iowa. Mr. Harry Eugene Kelly of Chicago, Illinois, has been enrolled as a life member.

## NOTES AND COMMENT

The First Presbyterian Church of Bellevue celebrated its Diamond Jubilee on January 29 and 31, 1933.

Ellis Parker Butler has been elected president of the Authors' Club of America. The Club has recently celebrated its fiftieth anniversary.

A nine-foot statue of Chief Black Hawk will be erected near Black Hawk Lake at Lake View. The statue will be the work of Harry Stinson of the State University of Iowa.

The Pioneer Lawmakers Association of Iowa met at Des Moines on February 15, 1933. B. F. Carroll presided, Governor Clyde L. Herring gave the address of welcome, and John C. De Mar made the response. John Hammill and W. L. Harding, former Governors, gave short reminiscent talks.

A large collection of material, chiefly relating to the railroads, has recently been acquired by the State University of Iowa. It was collected by Mr. L. O. Leonard, a son of Professor Nathan R. Leonard, one of the early faculty members of the University. The collection includes pictures, pamphlets, reports, correspondence, cancelled checks, and books and is at present stored in one of the rooms of the State Historical Society where it is being sorted and classified under Mr. Leonard's direction.



## CONTRIBUTORS

N. W. McGEE. Born at Farley, Dubuque County, Iowa, on May 27, 1896. Served with the 7th and 77th Divisions in the American Expeditionary Forces. Received the A. B. degree from Iowa State Teachers College in 1922, the M. A. degree from the University of Iowa in 1928, and the Ph. D. degree from the same institution in 1932. Principal of the McGregor High School, 1920-1921, Superintendent of the Grand Meadow Consolidated School, Washta, Iowa, 1921-1923; Superintendent of the Tripoli, Iowa, Public Schools, 1923-1926, and Professor of Political Science and Sociology, University of Dubuque, 1928-1932. Secretary-treasurer of the Iowa Political Science Association, 1932.

ETHAN P. ALLEN, Assistant in Instruction at the State University of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, April, 1930, p. 334).

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## POLICE ADMINISTRATION IN DAVENPORT

If all the inhabitants of the United States were law abiding, many present day institutions, agencies, and instrumentalities of government maintained for the administration of justice would not be needed, but crime seems to be increasing out of proportion to the growth in population. Crime conditions in any community depend largely upon three factors: (1) racial origins and characteristics of the population; (2) probability of conviction and punishment; and (3) the degree of probability of apprehension and arrest. The police have no control over the first, and play rather an insignificant part in the second, but they must assume almost complete responsibility for the third factor.

### GENERAL INTRODUCTION

The apprehension and arrest of a suspect by a lowly policeman throws into gear that vast, complicated, and expensive machinery of justice — the coroners, courts, judges, prosecutors, witnesses, penal institutions, jailers, probation officers, and parole boards. Since the police department is the first agency to function against crime and criminals, it must be competently organized and ably administered to produce significant results. It is the sworn duty of police officers to protect the life, limb, and property of all people within their jurisdiction. The degree of perfection attained will depend upon the selection of personnel, training, division of the force, duties assigned each group, number available for duty, officers, intelligence and education of the members, equipment, criminal investigation and identification, compensation, promotion, length of service, disciplinary action, and finances.



In some cases where there is a miscarriage of justice we can definitely blame the personnel — a judge, a coroner, a prosecuting attorney, or a policeman. In other cases we can blame the obsolete machinery through which justice is administered — the law, the jury, the court, the penal institution. In still other cases, and probably to an ever increasing degree, we can blame the public — an unenlightened public which shirks jury duty and refuses to inform the police about crimes, to testify honestly in court, to appreciate and reward honest police effort, to pay adequate salaries to its public servants, and to coöperate in an endeavor to discover the causes of crime and how to eradicate such causes.

To the child, the policeman is a “bogie man”; an individual to fear in infancy, one to hate and distrust in youth, one to think little about in adult life. To the average adult he is one who is “never around when you want him”. Few citizens know or understand the duties and responsibilities of this officer who is sworn to see that the laws are obeyed. Yet nearly every one stands ready to criticise him. The public sees him as an arresting officer, a “pussy-footer”, one who always does them personal harm and seldom, if ever, does them any good. How many realize that the police system functions day and night, year in and year out, to protect our lives and our property? Forget for a moment the hundreds of abuses and criticisms heaped upon the police, forget personal experiences with particular officers, and ask yourself this question, “Is my life and my property fairly well protected against the arbitrary actions of anti-social members of society?” If this question can be answered in the affirmative the police should be given the credit. With the exception of paying taxes, the ordinary citizen has done little to produce this security. Have not most losses been the result of carelessness — leaving the car or the garage

unlocked; placing money in milk bottles; pinning a "Not at Home" sign on the door while on a vacation; placing confidence in new acquaintances; employing servants without substantial references; flashing large sums of money in public places; and in other ways inviting the criminal to ply his trade?

*Duties Imposed Upon the Police.* — The public has little conception of the great variety of duties it has imposed upon the policeman. In the first place, it is his duty to arrest all who violate national, State, or municipal law. We assume he knows or will know the tens of thousands of laws so that he can make arrests for violations of them. This is impossible. He soon learns that certain acts violate some law and that he need not hesitate in arresting any one committing them. If he fails, a part of the public will condemn him, or his superior officer may see that he is discharged for neglect of duty. If he makes the arrest and the court fails to sustain him he becomes the laughing stock of his associates and the enemy of the offender and his followers. More disturbing than this, the officer may be dragged into court, for he is personally liable for civil damages because of false arrest or imprisonment. A policeman soon learns to play safe for he knows the public's sympathy will be (for the most part) against him. As a result, police often take no action at all in doubtful cases.

The policeman is also a judge sitting in the court of first instance. He determines, tentatively, whether an act is a violation of a law. If it is, he decides whether he should take official action. Realizing the procedure which follows an arrest, he may, in unimportant cases and for minor offenses, merely warn the offender against a repetition of the act. Furthermore the public expects the policeman to have some knowledge of the law governing many cases.



Though often poorly qualified, he must prefer charges, must determine whether the act was a felony or a misdemeanor, and must know the law on search warrants, arrests with and without warrants, evidence, confessions, and the like. Before the police magistrate he frequently acts as prosecutor.

The policeman must also function occasionally as a doctor, nurse, or fireman. Many lives have been saved because the policeman knew how to render first aid and relieve the unfortunate person found sick, wounded, or dying on his "beat". Though the average policeman has not gone far in school, the public expects him to be an educator, a social welfare worker, and a preventer of crime. More and more he goes out and "preaches the gospel of reverence for law in school, church, and home."

The public demands trim, well-built, neat, brave, militant patrolmen. A policeman must have the swing, snap, drill, and appearance of a soldier. He must be polite and gentlemanly, yet he must work among chronic drunkards, moral perverts, yeggmen, drug addicts, crazy men, beggars, murderers, liars, and thieves. Contacts with this group may easily cause the patrolman to lose gentleness of thought and action.

It is generally agreed that politics are poisonous to police administration. There are no Republican or Democratic methods of policing a city. Yet those familiar with police work realize that the policeman must be a politician if he is to get along and advance in the service. He is expected to serve as the people's advocate or permanent retainer — to represent the public and to keep private individuals from encroaching upon public interests. He sees that sidewalks are kept free from snow and ice; that streets are kept open for traffic; that builders have permits; and the like.

This is not a complete list of duties knowingly or unknowingly forced upon the police by the public. Yet it is sufficient to show the numerous and varied duties and responsibilities imposed upon them.

*The Rôle of the Public in Police Administration.* — The public has a part to play in police administration. Citizens should keep themselves informed as to the results obtained and make it worth while for officers to do their work more efficiently. Public opinion can either create or destroy. If the public demands better police service, it can be secured. In this field the public is generally non-appreciative, destructively critical, lacking in sustained interests, and not truly interested in day by day police work. The public knows neither its obligations to the police nor the obligations of the police to the public. Few realize the outside pressure brought to bear upon the organization and a lesser number actually attempt to do anything about it.

Crooks do not fear the policeman — the representative of the law. A man can be killed. But they do fear a community which stands solidly behind the officer — witnesses of unimpeachable character, givers of information, honest jurymen, judges, and law abiding citizens who stand ready to aid officers in obtaining evidence and conviction.

It is frequently charged that our system of criminal procedure is grossly inadequate and ineffective. It is said to be seventeenth century machinery trying to deal with twentieth century problems. Unquestionably the machinery is archaic, cumbersome, slow, and in many cases ineffective. There has seldom been any conscious attempt to build a police system to meet the needs of a specific community. Many cities have a small town police system with only an increased force.

The multitude of safeguards thrown about the accused,



the many opportunities for delay, the "sporting theory of justice", the chances for parole, pardon, and probation, and technicalities are only a part of the loop-holes through which the guilty may escape. We need modern, swift, and highly efficient criminal machinery to keep pace with all other forms of machinery which has been speeded up in the past quarter of a century. Above all, we need scientific data and scientific research to direct us in our undertakings.

Arthur Woods, a competent New York City police administrator, (from whom some of the above ideas have been taken) says, "one of the most short-sighted things modern civilization indulges in is the practice of arresting, convicting, discharging, re-arresting, re-convicting and re-discharging."

Though the public is likely to place all blame for crime upon the police, the student realizes that the police department is but a part of the law enforcing machinery. Were the police a hundred per cent efficient, it will avail them little if the prosecuting attorney fails to do his part; if the judge refuses to administer the law properly; if criminals "buy off" witnesses; if shyster lawyers are permitted to "browbeat" witnesses; if probate and parole officers do not function intelligently; or if prison officials fail to reform a reasonable per cent of the inmates.

In Iowa, policing is looked upon as a function to be performed by local areas of government and the State has therefore delegated to the municipalities entire responsibility for the creation, maintenance, and organization of police forces within their respective jurisdictions. In Davenport, the city police preserve law and order within the city limits, while an elected county sheriff, his deputies, and the constables are responsible for policing the entire county.

All that has been said thus far pertains to police adminis-

tration in general. The remainder of this article deals with data gathered during a three months field study, made in 1931, in the city of Davenport (the third largest city in Iowa).

This is not an attempt to expose or condemn individuals or a particular city. It is rather an attempt to portray police administration as the writer observed it. To the casual observer Davenport appears to be fairly representative of Mississippi River cities in this section and of approximately the same size.

#### MANAGEMENT OF POLICE PERSONNEL — BY THE CHIEF

The time worn doctrine of separation of powers, with its usual checks and balances and confusion of responsibility, is evidenced in the management of police personnel.

In Davenport, the mayor is charged with the responsibility for law enforcement. He is at the head of the police force and is authorized to superintend and direct the department generally. Indirectly he does manage the department, for approximately ten per cent of his time is devoted to conferences with the chief of police at which time policies are formulated and discussed and orders are given to the chief who in turn relays them to the rank and file. The mayor, without any legal restrictions whatsoever, chooses and appoints the chief and holds him responsible. If a suitable person can be chosen from the department, he is usually appointed, but if the available timber falls short of the mayor's requirements, he may go outside the department to select the chief, and this is frequently done. He may go out of the city, even out of the State, but thus far political considerations have forced him to stay within the city limits.

In actual practice the chief of police manages the force, subject, however, to supervision by the mayor and the police commission. One can not read the *Rules and Regu-*



*lations for the Government of the Police Department in Davenport* without noting the great powers given to the chief. No one can question the rule that the chief shall be in command, or that his subordinates shall immediately obey every one of his orders, but in reading the *Manual* one soon feels that the ordinary policeman has little opportunity to display initiative. Time after time, he is instructed to take notice of "this and that", to take notes in his pocket notebook, and to "report same to the chief".

Yet, with all this power, the chief is not responsible for police administration in Davenport, even though he is so charged in many places in the *Manual*. In the last analysis, his hands are completely tied by the mayor and the board of police and fire commissioners. To quote a few of the many examples in the *Manual*: "He [the chief] shall have power to promulgate such orders to the police force as he may deem proper, and in conformity with the rules and regulations of the Police and Fire Commissioners and he shall promulgate to the force such orders as he shall from time to time receive from the Mayor or the Board of Police and Fire Commissioners, with the consent of the Mayor."<sup>1</sup>

"He shall promptly execute all orders of the Mayor."<sup>2</sup>

He may, at his discretion, suspend or discharge from duty by reporting in writing to the mayor and the board, "any police officer under his command for violations of the police rules or his orders". But "the Mayor shall affirm or revoke such suspension or discharge, according to the facts and the merits of the case." From this decision the officer may appeal to the board of police and fire commissioners and demand a trial. The board has final disposi-

<sup>1</sup> *Rules and Regulations for the Government of the Police Department in Davenport, Iowa, 1930*, p. 18. Hereafter this book will be cited as *Rules and Regulations*.

<sup>2</sup> *Rules and Regulations*, p. 20.

tion of the case and according to the evidence produced, may suspend, discharge, or reinstate the accused. Furthermore, all policemen except the chief, are subject to removal by the board for misconduct or failure to perform their duties, "under such rules and regulations as may be adopted by said Board whenever said Board shall consider and declare such removal necessary for the proper management and discipline of said department."<sup>3</sup> The chief must also choose all the new members of the force from candidates submitted to him by the board of police and fire commissioners. He may appoint anyone from a list of ten approved candidates, but he has nothing to do with the making of the examination questions, qualifications, character of applicants, and the like.

As a matter of fact, responsibility for police administration can not be definitely placed in Davenport. Because of the separation of powers and the check and balance within the department, there is unlimited opportunity to "pass the buck". The first attempt by the writer to fix responsibility resulted in failure. For example, every member of the police force, the police magistrate, the judges of the district court, and a high percentage of the citizens know of the existence of houses of ill-fame in the city. From April 1, 1930, to April 1, 1931, forty-three arrests were made for violations of city ordinances, on the charge of keeping a disorderly house, two hundred and twenty-seven as being inmates of disorderly houses, and twenty-nine for living an immoral life. On State charges, however, only one arrest was made for the entire year on the charge of keeping a house of ill-fame, possibly because the city receives the income from violations of city ordinances while the county benefits from fines for State offenses.

Detectives are definitely charged with the duty of locat-

<sup>3</sup> *Rules and Regulations*, p. 18.



ing such places and preventing them from operating.<sup>4</sup> Policemen, too, are authorized to note all such illegal places, to keep a list thereof in their notebooks, and to report them to the officer in charge.<sup>5</sup> Policewomen are also expected to be on the watch for disorderly houses.<sup>6</sup> Each group was asked, "Who is responsible for the closing of such 'houses'?" The policemen shifted the responsibility to the detectives, the detectives to the policewomen, the policewomen to the officer in charge, the officer in charge to the chief, and the chief to the mayor. The mayor might in turn have shifted the responsibility into reverse and started it back down the line. The illustration adequately exemplifies the possibilities of shifting responsibility in a system of administration characterized by separation of powers.

#### MANAGEMENT OF POLICE PERSONNEL — BY THE BOARD OF POLICE AND FIRE COMMISSIONERS

All cities in Iowa having a population of 8000 or more are compelled by law to appoint three civil service commissioners, one to retire every two years.<sup>7</sup> The qualifications of the members are simple. They must be citizens of the State of Iowa, residents of the city for more than five years, shall not hold any other office of public trust, and they serve without pay.<sup>8</sup>

Ordinances have been established in the city of Davenport creating the board of police and fire commissioners in conformity with Chapter 289, *Code of 1931*.

The Davenport board is composed of three members ap-

<sup>4</sup> *Rules and Regulations*, p. 30.

<sup>5</sup> *Rules and Regulations*, p. 33.

<sup>6</sup> *Rules and Regulations*, p. 43.

<sup>7</sup> *Code of 1931*, Sec. 5689.

<sup>8</sup> *Code of 1931*, Sec. 5690.

pointed by the mayor for a term of six years. The members serve without compensation. The board is a continuous body, one member going out of office every two years. The chairmanship is always given to the senior member. The board is frequently referred to in conversation and in print as a non-partisan body. Nothing could be farther from the truth. The mayor sees to it that the person appointed and confirmed by the city council is a member of his political party. Although Davenport is usually Republican in State and national elections, the voters do not hesitate to elect Democrats to city and county offices. The present (1931) board is composed of two Republicans and one Democrat.

Members are eligible for reappointment and frequently serve more than one term. No special qualifications are required of a commissioner, and few, if any, have had special training to fit them for this type of public service. Practically all the members thus far appointed have, however, been public spirited, high class business men. There seems to be no disposition on the part of these men to manipulate the office for their own private gain. One officer remarked that formerly the commissioners acted as a trial board only, but that, in the past five years, they were more and more getting their hands into personnel management. When the writer was discussing with the mayor the practicability of giving a group of tests to the police department, the mayor suggested that an interview with the members of the board would be desirable. Even though they had nothing to do with this phase of work the mayor said he always consulted them and coöperated with them in such matters. Indirectly, then, they do have some influence in personnel management.

The present (1931) chairman of the board is a former clerk of the county court and is now engaged in the insur-



ance business; the second oldest member is a former director of the Tri-State Fair and is now general manager of a local manufacturing company; the junior member operates the Winters Specialty Company and has been active in advertising and real estate business.

The three most important functions performed by the board in relation to the police are: (1) it makes the rules, regulations, and by-laws governing the department; (2) it acts as a trial board and has disciplinary powers over members of the police force; and (3) it selects all recruits and examines them for fitness to serve.

The board has prepared an excellent book on *Rules and Regulations for the Government of the Police Department*, a copy of which is given to each member of the force.

Cases in which the commissioners have acted as a trial board average less than two per annum. In the past ten years only one policeman has been tried for graft and, in this instance, the charges were not substantiated. The commissioners seldom take the initiative in suspending, discharging, or disciplining members of the police department. Usually it is the chief who starts action and he practically never attempts to discipline a member unless he is sure that sufficient evidence is at hand to substantiate the charges. Then he suspends the accused without pay for a period varying from one to sixty days, or, if evidence warrants it, he may discharge the offender.

The mayor and the board have stood back of the decisions of the chief in nearly all cases on record. As a result, appeals are few. Furthermore, the accused is almost always willing to take a ten day suspension given by the chief for an offense such as drinking on duty, for if he appeals to the board and the charges are proven, he is subject to dismissal. Although the machinery is seldom used, the board protects the members from the arbitrary

and unjust action of a powerful chief; it still retains the final authority of adjudicating cases brought before it; and it has undoubtedly eliminated the wholesale dismissal of policemen and officers for partisan reasons, a policy practiced in the early history of Davenport, but never attempted since the commission was created.<sup>9</sup>

*Examination Given to Applicants.*—An applicant for police work must apply to the board in his own handwriting and must produce certificates signed by three reputable freehold citizens of the city (none of whom may be holders of city, county, or State offices), stating that they have known the applicant for the past two years and believe him to be of “good moral character, of correct deportment, of temperate and industrious habits, and in all respects fit for the service . . . and that such citizen is willing that his certificate should be made public.” Each applicant must produce a statement from a reputable physician of the city showing his physical condition, and each must “answer such questions and submit to such examinations as to physical strength, capacity and activity, and as to educational qualifications as the Board may deem necessary to ascertain his fitness for the position sought.”<sup>10</sup>

Some rejections of the applicants are possible before the written examination — “those who do not appear to be physically sound, of the requisite height, or of good habits and reputable character.”<sup>11</sup>

All appointments to membership on the police force (excepting the chief) are made under the civil service rules of the board of police and fire commissioners.

<sup>9</sup> *Rules and Regulations*, p. 48.

<sup>10</sup> *Rules and Regulations*, p. 56.

<sup>11</sup> *Rules and Regulations*, p. 56.



To be eligible as a policeman in Davenport a man must have the following qualifications: (1) be a citizen of the United States; (2) be a resident of the City of Davenport for the past three years; (3) be a legal voter in the city; (4) never have been convicted of a crime; (5) be able to read and write the English language understandingly; (6) be not over thirty-five years of age, nor under twenty-one; (7) be at least five feet seven inches tall and weigh not less than one hundred and forty-five pounds; (8) be of good health and sound body; and (9) be of steady habits and good moral character.

Candidates who meet these preliminary requirements are permitted to take the written examination. Educational tests of the applicants are confined to the following subjects and are given the following weight: (1) simple arithmetic dealing with addition, subtraction, multiplication, and division, as relates to whole numbers — 40 per cent; (2) reading from print and manuscript — 10 per cent; (3) handwriting — 10 per cent; (4) writing from memory the substance of matter communicated orally — 10 per cent; (5) oral questions as to points of interest and location of prominent buildings in the city — 10 per cent. Physical appearance counts 20 per cent.

Here is the examination in arithmetic given to prospective policemen on April 6, 1931.

<i>Addition</i>		<i>Division</i>	<i>Subtraction</i>	<i>Multiplication</i>
5,231	4,615	12)31,608(	9,763	623
4,865	5,922		<u>- 849</u>	<u>x 47</u>
9,003	3,846			
2,750	8,034	26)98,436(	69,780	8,796
<u>1,204</u>	<u>7,428</u>		<u>- 8,963</u>	<u>x 137</u>

The following quotation was read orally four times and the candidates were asked to reproduce as much of it as possible in their own words:

“The Mayor shall report to the City Council all viola-

tions or neglect of duty on the part of any city officer which shall come to his knowledge, and when he believes the city funds or property are liable to be lost or injured, or in any manner endangered, he shall immediately convene the Council for the purpose of taking action in relation thereto."

Each candidate was told to rise, and locate orally two prominent buildings named by the clerk, examples being the City Hall, the Y. W. C. A., the Y. M. C. A., the Post Office, Parker's Department Store, the Blackhawk Hotel, Hotel Davenport, and the C. R. I. & P. Depot. While he was standing, the members of the board were given an opportunity to rate him on physical appearance, poise, action, speech, mental alertness, and the like. The simplest kind of reading and handwriting finished the test for future policemen.

At the April meeting, 1931, twenty-nine applicants took this examination. A score of seventy-five per cent was considered a passing mark. Simple as the examination may seem, eight — or twenty-seven per cent — failed to receive a passing grade.

When the papers are graded after each examination, a certified list of the ten men making the highest grade is submitted by the commissioners to the chief of police, and from this list the chief makes the selection of recruits. He is free to choose anyone from the highest to the lowest. In former years it was an easy matter for politicians to force their friends upon the department, but, although political considerations have not been completely eliminated, the present régime actually seeks the best qualified men.

The present chief will not make an appointment unless the applicant can drive a gear-shift car, since the department is to be completely motorized in the near future. Thus one might add the ability to drive an automobile to



the qualifications for future policemen. He also gives preference to married men, former military service men, and individuals who can operate a motorcycle. Political influence in the selection of applicants who passed the examination was noticeable before April, 1930, according to the clerk of the commissioners, who has functioned in that capacity for many years. Today he believes it has been almost eliminated.

Before the chief makes an appointment the recruit is asked to submit to a rigid physical examination given by a doctor selected by the board of commissioners. Color blindness is thoroughly considered today, but several of the older men can not recognize red and green — the two colors which policemen should be able to distinguish.

An examination of the records indicates that only physically sound men are accepted for police duty. The greatest criticism is that no means are available at the station to keep them in good physical condition. After a few years service, many become overweight and thereby less efficient. With complete motorization we may expect more corpulent policemen unless gymnasium facilities or calisthenics are provided.

It is hard to understand why a higher type of individual can not be recruited for police duty, when one compares their present day salary, pension, paid furlough, and the like with those of other occupations in the city. Appointment lists will, however, continue to contain poor material until the mental examinations are placed on a higher plane, until the grading of examination papers is made more rigid, until promotions are made on merit instead of seniority, until political bias is completely eliminated from the department, and until the public learns to look upon police work as a suitable vocation for honest and competent young men.

*Records of the Board of Police and Fire Commissioners.*

— To obtain information from the records kept by the commission, it is necessary to run through the *Minute Book* written in long hand. Nowhere in the city could a record be found showing the educational records of policemen. This is partially explainable because many are foreign-born and many became members of the force before the inauguration of civil service. When new forms are printed this information should be obtained, along with records of previous occupations and special training possessed by the applicant to fit him for his duties.

When charges are brought against an officer and he is suspended or disciplined in any way, the reasons for such action should appear on record. In the *Minute Book* of the police and fire commissioners may be found the sentences imposed, but in nearly all cases under "reasons" the following caption was found: "Not Given". Personal inquiry revealed that the vast majority of sentences were imposed for drinking or being drunk on duty, although the records show only two cases of intoxication and one of drinking on duty.

## POLICE PERSONNEL

*Service Records of Policemen.*—*The Missouri Crime Survey* charges that police service in Kansas City and St. Joseph "represents little more than casual employment for the rank and file". In St. Joseph, a city about twice as large as Davenport, it was found that a third of the force below the rank of corporal had had less than two years continuous service, over half had had less than three years, and nearly three-fourths had had less than five years.<sup>12</sup>

In Davenport, the police do not consider their positions as casual employment, but apparently look upon it as their

<sup>12</sup> *Missouri Crime Survey*, p. 30.



life's vocation. In 1931, eleven members, or seventeen per cent, had served over twenty-two years; forty-one, or sixty-four per cent, had served more than ten years; forty-nine, or seventy-six per cent, had served over five years; fifty-seven, or eighty-nine per cent, had served over two years.

The following table shows the service record of the captains, lieutenant, and detectives on the Davenport police force in 1931.

RANK	TOTAL YEARS OF SERVICE	TOTAL YEARS OF CONTINU- OUS SERVICE	NUMBER OF RESIGNATIONS	TIME BETWEEN RESIGNATION AND REAPPOINTMENT			
				<i>Yrs.</i>	<i>Mos.</i>	<i>Days</i>	
Captain	37	25½	1	1	8	18	
“	23½	21	1	4	6	6	
“	26	25½	1	2	0	27	
Lieutenant	13	13	0				
Sergeant	29	27⅓	1	2	1	1	
“	12¾	9	1	3	3	0	
“	4	4	0				
“	7	7	0				
Detective	33	29⅓	2	{	1	0	12
					2	0	0
“	25	25	0				
“	32	32	0				
“	16	16	0				
“	22	22	0				
“	14	11⅓	1	1	9	12	

The fifty patrolmen had an average time service of eleven and one-half years, an average continuous service record of approximately ten years, a total of eight resignations, with an average interval of four months and sixteen days between resignation and reëntering service.

Fifteen members, or twenty-three per cent of the total personnel, had been separated from the service once. Only in one instance had a member resigned twice, this being a detective with a thirty-three years service record. The longest interval between resignation and reappointment for the entire force was five years, ten months, and eighteen

days, taken by a patrolman who has since served thirteen consecutive years. The shortest interval was three months and twenty-seven days, taken by a patrolman who has since served thirteen consecutive years. The average time out of service for the fifteen who have resigned was two years, five months, and twenty-eight days.

*Service Record of Chiefs.*—Since 1900, the period of service enjoyed by the chief of police at Davenport varied from eleven days to six years. Fifteen chiefs (twelve different men) have been appointed in the past thirty years, making two years the average time served. No matter how well the chief has functioned during his term of office, nor what his future program may be, he must usually make way when a new mayor is elected. On only two occasions has a chief been reappointed after an interval during which a successor occupied the position. On three occasions a chief has been reappointed and served four, four, and six consecutive years respectively.

Some of the chiefs have had no previous experience as police officers nor any special training to qualify them for their new duties. The incumbent in 1931 had no police experience, but had served many years as an army officer, thus acquiring experience in managing men.

Two years is insufficient time for the head of a police department (especially an inexperienced man) to become thoroughly familiar with his duties and formulate a program of action. He must, therefore, rely to a great extent upon the older subordinate officers. As a result, chiefs come and go leaving behind them little or no impression on the administration to mark their brief incumbency. This raises the question as to whether steps should not be taken to make administrators professional in character and withdraw them from politics.



In the thirteen days, between April 3, 1930, and April 16, 1930, the negro porter might have smilingly said "Mornin' chief" to three different men. Such short tenures can, in part, explain the retarded development of police forces throughout the United States.

*Physical Characteristics of Policemen.*—If the length of service was the only criterion upon which to evaluate police efficiency, Davenport would no doubt rank very high: police should become more effective as they gain experience. It is, however, possible to weaken the system through failure to infuse young blood. The average age of the entire personnel at Davenport in 1931 was forty-five years. This figure is considerably higher than one would expect to find in a modern police system. The Kansas City survey advocated a thirty-year maximum age for entering police service. London has a twenty-seven year age limit while Liverpool has a twenty-three year age limit. Lieutenant John Murray of the New York Police Academy advises that men between twenty-one and twenty-five invariably make the best material for policemen.

Tentative estimates of the three hundred cities surveyed by the Wickersham Commission gives the average age of patrolmen at thirty-five to forty years. It is usually the younger men who resign, if more suitable employment can be obtained, while the older men cling tenaciously to their jobs. A higher age level is to be expected in systems where retirement of those eligible for pensions is not made compulsory. Room could be made in the Davenport police department for some eleven young members, if those eligible for pension would retire, and this would considerably reduce the average age, providing young men were appointed. Young men seem to find it difficult to get appointments on the police force in Davenport, however, for the average age

at the time of appointment for those appointed for the three years previous to 1931 was twenty-nine and two-thirds years. The nine members appointed to service preceding the survey ranged in age from twenty-three to thirty-five at the time of their appointment, but their average age was thirty. In 1931 there were only three members under thirty; their ages being twenty-four, twenty-five, and twenty-eight.

The ages of the Davenport police force ranged from twenty-four to seventy-three, the average being forty-five years. The ages of the officers ranged from thirty-nine to seventy-three, with an average of fifty-four; the captains varied from sixty-two to seventy-three, with an average age of sixty-seven; the sergeants were from forty-one to sixty-five years of age, with an average of fifty; the detectives varied from thirty-nine to seventy-three, with an average of fifty-five; while patrolmen were from twenty-four to sixty-six with an average age of forty-two.

The tallest member of the Davenport police personnel in 1931 was six feet four and one-half inches and the shortest measured five feet four and one-half inches, the average height being five feet nine and two-thirds inches. Individual weights ranged from two hundred and sixty pounds to one hundred and forty-six pounds, the average being one hundred and ninety-five pounds.

Twenty-three, or thirty-seven per cent of the force, were born in Davenport. Sixteen others were natives of Iowa. Nine were born in Illinois, seven in Germany, two in Ireland, and one each in Scotland, Denmark, Sweden, Alabama, and Kansas. Thus, nineteen per cent of the 1931 force were foreign-born.

Ability to speak a foreign language frequently aids the policeman in his duties. When a foreigner is arrested or encounters any difficulties, the policeman who can converse



with him in his native tongue has a marked advantage not only in aiding the unfortunate one, but in obtaining information. The policeman who has a working knowledge of a foreign language is frequently used as an interpreter in the courts. Sixteen of the 1931 force could speak German, three Danish, two Swedish, one Norwegian, and one French.

Over half of the force were holders of Red Cross First Aid Diplomas, an indication that they were interested in better preparing themselves to function as policemen. All six of the detectives, three of the four sergeants, and twenty-five of the fifty patrolmen had obtained such diplomas.

Policemen are recruited from a great variety of vocations. Of the police in Davenport in 1931, day laborers furnished six, the greatest number; street car workers and sales work, four each; truck drivers and auto mechanics, three each; blacksmiths, brewery workers, carpenters, construction workers, icemen, leatherworkers, machinists, metal workers, moulders, prison guards, and soldiers, two each. Vocations represented by one policeman were the following: auditor, baker, brick-layer, crane operator, decorator, deputy sheriff, expressman, farmer, florist, janitor, plumber, service station attendant, spinner, and switchman. Only five had been previously engaged in work which might be expected to be beneficial to them as policemen, namely, two prison guards, two ex-soldiers, and one deputy sheriff. The two policewomen gave their former occupation as dressmaker and housewife.

Fifty-one members of the police force were married; eight were unmarried; and one refused to state his marital status. Those who were married had from one to eight children, with an average of four dependents.

A questionnaire regarding previous training which would better prepare the individual for police duty produced the

following data: thirty-eight men, or sixty-four per cent, had no previous training before entering and had none afterward. Seventeen, or twenty-nine per cent, had from four months to thirty-one years of army service. In addition, two of these men had served as prison guards, and one had served three years as a policeman in another city in Iowa. Excluding the individual with the thirty-one years of army service, the remaining sixteen men served a total of fifty-four years, or an average of three and three-fourths years each in the army.

One had served four years as a deputy sheriff, another four years as a sailor. One had served a number of years as a constable in a small Iowa town; and another had served as a special motorcycle policeman in Illinois.

The ability to distinguish colors is highly important in police work today. This is particularly true where color signals are used to call policemen and where traffic is directed by lights. Fifty-seven members of the police force in Davenport passed the color test which consisted of sorting out the different colors and shades of yarn thrown indiscriminately into a box; two could not distinguish any colors well; while four had trouble with specific colors — two were “bad on green”, one “bad on brown”, and one “bad on brown and pink”. There was “no record” on the color test for two.

With the department completely motorized each policeman must take his turn at driving. Consequently, due caution should be taken to see that no new recruits are accepted who are color-blind. Little need be said about this now important phase which was formerly considered immaterial. One who can not distinguish the colors of traffic lights — green, yellow, and red, is unquestionably incompetent to drive a squad car especially when frequently called upon to give chase to law violators.



Good eyes may be more important today in a modern police force than good feet. Yet the vision of several policemen in Davenport was bad. This was shown when the Observation Test was given. Several admitted that their eyesight was faulty and that they could not read license plate numbers on moving cars at a reasonable distance. Records made at target practice seem to indicate that greater emphasis should be placed upon the vision of policemen. With the population of today moving about in high powered automobiles and where the apprehension of a criminal depends to a great extent upon the ability of a policeman to obtain the number on the license plate, police administrators of the future must pay more attention to good eyesight.

*Schooling and Training of Police.*—*The Police Manual* of Davenport provides for some schooling for members of the force. It states that “they shall be drilled in such manner by such officers and at such hours and place as the Chief of Police may designate from time to time, using the standard *United States Manual*. They shall report for gymnasium, target practice or school of instruction at such times as may be ordered by the Chief.”<sup>13</sup>

So read the by-laws. In reality, the department has no gymnasium, no school of instruction is maintained, and no drills are held except target practice. Drivers of police automotive equipment receive some verbal instructions from the officer in charge of the Patrol Barn relative to daily, semi-monthly, and monthly care of cars and motorcycles. They are given some instruction in driving and some information as to tires and carburetors.<sup>14</sup> Each member of the force is expected to school himself in mat-

<sup>13</sup> *Rules and Regulations*, p. 13.

<sup>14</sup> *Rules and Regulations*, p. 40.

ters contained in the *Rules and Regulations* in any manner relative to his duty and strictly conform thereto.<sup>15</sup>

In Davenport, as in nearly all other cities in the United States, there seems to be an idea that any physically fit man, who can read and write and is of fairly good morals, if dressed in a uniform, given a gun, star, and club, will function adequately as a policeman. Usually cities have too few policemen, and every available man is assigned to immediate duty. What educational training is offered is dull and perfunctory. As a result, the recruit simply "drifts", following the example set by older members of the force. If he is ambitious and possesses the proper educational background, he may for a time train himself. It pays in dollars and cents as well as in promotions — two promotions being possible in eighteen months. But after a man becomes a first grade patrolman, promotion upon merit alone comes slowly, if at all. Older men in service, men more or less incapacitated in line of duty and no longer able to walk a "beat", or men who have somehow made a favorable impression upon the chief get the advancements. The once ambitious recruit finally becomes just another half-satisfied, half-discontented first grader.

The efficiency of a policeman depends much upon his ability to observe quickly, accurately, and fully, to record or recall the major things which actually took place, to testify intelligently, and to relate his observations before the court. Men and women who have only education enough to read and write seldom perform the above functions satisfactorily. Tests have been given which seem to prove conclusively that the ability to recall observations accurately tends to fade with the passing of time and the lower the mental age the poorer, on the whole, is the memory.

<sup>15</sup> *Rules and Regulations*, p. 13.



Crime can no longer be considered a purely local function: the State must assume its share of the burden. Until necessary legal changes can be made so as to secure a higher type of policeman, something must be done to train the existing members of the force. The State of Iowa could, through its educational institutions, give much aid in training police and in solving crime, by coöperating with all city police administrators. These local officials have discovered their helplessness in combating crime. They realize that the majority of their force are unschooled, untrained, and often unfit to perform modern police functions. They stand ready to be instructed, yet either because of pride or lack of coöperation and understanding, they have failed to petition the State legislature for aid.

Iowa cities are still relatively small and major crimes have not been committed in sufficient number in such places to force a realization of the present trend in criminal activities. Gangsters and hoodlums have found it more profitable to buy protection and operate in the larger metropolitan areas. But in the last few years, these cities have started organized warfare against gangsters and while the results are meager, there seems to be sufficient evidence to warrant a guess that gangland, driven from its centers in the great cities, will attempt to migrate to smaller cities and there erect bases for operating. With gangsters come organized, shrewd criminals and the commitment of major crimes.

Most police officers fear this migration, realize their inability to cope with modern criminals, and stand ready to do the next best thing — that is, increase the efficiency of their present personnel to the maximum.

The University of Wisconsin has done some pioneering work in this field and now offers two courses, one supplementing the other, of eighteen lectures during the year.

The State of Iowa might well study the results being obtained in Wisconsin, profit from her experiences, and adopt the features applicable to her own needs.

The Extension Division of the University of Iowa might furnish police administrators with material relative to social sciences, criminology, penology, detection of crime, testimony, and kindred subjects. Professors might in their respective fields prepare short courses in printed form to be furnished the cities at cost. Better still, let the teacher prepare one or more lectures in his specialized field and deliver it before the police groups. Since cities are under-policed, men can not be sent to a training center for six or twelve weeks schooling, but one lecture per month by a specialist would greatly aid in broadening the viewpoint of the rank and file, create interest which would lead to discussions and further reading by some members at least, and a little publicity would no doubt arouse interest in the citizenry which would be beneficial.

There is, under the civil service law, no provision for a period of probation in the appointment of police officers in Davenport. A man, once appointed, can be dismissed only for cause and after a hearing, yet probation is almost indispensable in a system where there is no training, and examinations are not truly selective. If properly used it would eliminate the most conspicuously unfit candidates for police service.

Members of the Davenport police force, police officers, and department administrators, although contending that their department is superior to that of the average city of similar size, realize the need for some such method of training. Since the city is too small to maintain a separate police school and, like the cities of Iowa in general, it is under-policed and can not therefore send men to take advantage of short courses offered in other States, some pro-



vision should be made whereby the school could be taken to the respective cities.

Some current writers believe that the function of policing all communities will become a duty of the State in relatively few years. Many Commonwealths have already adopted State police. Should Iowa in the future follow the lead taken by the more populous States, the plan mentioned above would give her invaluable experience in handling police problems.

#### DISTRIBUTION OF POLICE PERSONNEL

Unfortunately the administrators of police in Davenport have never made a survey to ascertain the hours when most crimes are committed in the city, nor has any special attempt been made to have the greatest number of policemen on duty at the busiest hours. It is generally known that police are busiest during the second shift which works from three to eleven P. M. It was possibly for this reason that the radio was put to work during this shift. The personnel is, however, divided into three shifts as nearly equal as possible, with the exception of the traffic squad which works daylight hours.

To the casual observer it would seem that there are too many officers and patrolmen around the station and too few actually out doing patrol duty to give the city the best possible protection for the money expended. If we do not consider the traffic squad, which pays only casual attention to crimes other than traffic, there remain sixty members of the police force. If these men were equally divided we would have twenty per shift. If we made a survey of the police department at almost any time, where would we find these twenty men and what would they be doing? The two ambulance men and the two patrol wagon men would be sitting in the car barn waiting for a call—unless they

happened to be out on a call. The captain would be in his office doing some clerical work or giving instructions. The sergeant would be in his office doing some clerical work or waiting for a complaint. The switchboard operator would be sending out messages to the patrolmen or checking calls from them. The motorcycle officer would be sitting around the station waiting for an emergency call. The policewoman would be in her office doing clerical work, interviewing delinquents paroled to her, and the like, going out on active police duty only when ordered to do so by the chief or when a case has been brought to her attention by some complainant. The lieutenant would be in his office, developing pictures, "mugging" prisoners, sending out fingerprints and photographs to the State and National Bureau of Identification, going out only when he has a chance to photograph fingerprints. Two detectives would be somewhere in the city looking for law violators or ferreting out crooks. They might be working alone or together. Four squad cars carrying eight patrolmen would be out cruising. Thus, for each eight-hour shift we find only ten men actually policing in a city which covers nearly eighteen square miles. Eight of them would always be in pairs, and the other two might be. Five groups of ten men, regardless of their vigilance, efficiency, distribution, or means of locomotion can not adequately suppress crime in a city which boasts of over two hundred and fifty miles of streets and alleys. Rest days, vacations, sick leave, appearance in court, and the like further reduce the number who are actively engaged in policing. The writer does not, however, wish to convey the idea that the officers and patrolmen at the station are not performing duties absolutely necessary to police administration, nor does he wish to leave with the reader the idea that their work could be done by a smaller office force. The sole purpose of this comment is to show



that the city is inadequately policed and though the office work might be so arranged as to give two more men to patrol duty, this number would not greatly relieve conditions. The problem is aggravated and the criticism more justified when one realizes that the metropolitan area consists of approximately 150,000 population. The problems confronting the police of Davenport are not, therefore, those of an isolated city of 60,000 people — but those of a city of 150,000 since only a free bridge across the Mississippi River separates Davenport from the Illinois cities opposite.

Before the best results can be obtained more men actually engaged in policing must be employed or the present system altered. Everyone will agree that two men are required to perform ambulance work and patrol wagon work. For the three shifts this requires the efforts of twelve policemen. The records from April 1, 1930, to March 31, 1931, indicate that there were only 2235 ambulance alarms or 6.1 calls per day, yet six policemen devoted their entire time to taking care of these six calls per day. For the same period the records indicate 3222 patrol wagon alarms, or an average of nine calls per day. This again required the time of six more policemen.

There can be no doubt that this phase of work is important and requires immediate attention. But when we consider that in Davenport the ambulance service is available for anyone upon order from any doctor or from the overseer of the poor, or when any invalid desires to be moved from one place to another, it is evident that very few of these are emergency cases which require immediate service. In all these cases the patient is taken to or from the hospital or moved to a new location without a charge of any kind, regardless of the ability to pay.

With these facts in mind, it would seem possible that the

work of the ambulance and patrol wagon might be combined. In so doing the men would be far from overworked. Two men for each shift could easily perform both duties. If an ambulance call came in, they could step into the ambulance and take the sick individual to the hospital. If the patrol wagon was summoned they could serve in this capacity. On an average there are only fifteen calls per day or five calls per shift. If this policy were adopted six patrolmen would be available for actual police duty. Thus, without increasing the costs one cent, the active force would be increased one-sixth. An efficiency expert might suggest other changes by combining the duties of men doing clerical work and thus make more men available for patrol work.

*Railroad and Private Watchmen.*—Many cities have added somewhat to their police work without additional expense by swearing in railroad crossing guards, railroad policemen, privately employed watchmen, merchants, school janitors, and the like, who might well function as protectors of life and property while following their own private vocations. A conspicuous example of this may be found just across the river in Moline, Illinois, where all the railroad policemen are sworn city policemen, dressed in regular police uniforms, but they serve without cost to the city. They frequently make arrests and, by mere show and coöperation, strengthen the entire department.

Davenport tried this plan years ago but the experiment was not favorable. Such individuals, the administrators claimed, were constantly overstepping their authority. They kept the department in tumult and did more harm than good. As a result the idea was discarded and the plan has never since been given another trial. The administrators also felt that the liability of the city for the torts of



such agents would more than offset the service which such policemen would render.

Vigilance committees, minute-men, or other civic organizations frequently used by cities to reënforce the police at critical moments have not been organized in Davenport. The only special sworn officers in the city are three merchant policemen hired and paid by business men to watch and protect their property at night.

Before leaving the subject of personnel distribution it seems only fair to say that the present chief does make some attempt to use his force at advantageous points during peak hours. His traffic men are placed to keep traffic moving in downtown areas. During conventions, fairs, and other big days, they are placed where traffic is heaviest. The motorcycle officer is stationed at the Iowa end of the Mississippi River bridge when workmen are going back and forth from one city to the other. Detectives may be dispatched to work among the crowd when a circus is in town. A policewoman may be sent to a dance hall if the crowds are reported as "rough". It is only on such special occasions, however, that conscious effort seems to be made at distribution.

#### CHARACTER AND DISCIPLINARY ACTION

Good character is one of the foremost prerequisites of any policeman. He is subjected to temptations and corrupting influences to a greater degree than the ordinary citizen. Since he is expected to enforce laws and ordinances establishing personal and social conduct, he must be in sympathy with those laws and abide by them in his every-day life. An applicant's character should be thoroughly investigated for the preceding ten years at least.

*Character Investigation in Davenport.*—In Davenport

the duty of investigating the character of applicants for places on the police force is not assigned definitely to any officer or board. The police and fire commissioners do, however, have printed on each "Application for Examination for Appointment", a form given to each applicant, the following statement: "The undersigned respectfully requests you to appoint \_\_\_\_\_ a member of the \_\_\_\_\_ department of the City of Davenport, and individually and each for himself states and represents, that he has known the said applicant intimately and well for the number of years stated below and is qualified to speak intelligently in relation to his character and habits, and states and represents that he is a man of good moral character, correct and orderly in his deportment, and not in any respect a violator of the law or good order, that he is a man of sober, temperate, and industrious habits, and not addicted to the habitual use of intoxicating drink or other injurious habits. They further represent, as aforesaid, that they are willing and ready at any time to appear before you and make oath or affidavit to the truth of the matters herein stated." Below this statement is space for the names and street addresses of three signers, with the number of years each has known the applicant.

This is the extent of character investigation made by the board. They do not themselves check up the signers nor do they authorize anyone else to do so, before submitting the list of approved candidates to the chief. The requirements are so simple that they constitute no check whatsoever. Any individual in any city can obtain three signers. Since police and fire commissioners serve without pay and usually are too busy with private business to perform this important function, the investigation of character should be turned over to some other agency.

In practice this is what is done by the chief before mak-



ing any appointments. He attempts to learn something about the approved candidates. His search is not exhaustive nor thorough, as a rule. If he personally knows any of the signers on the applications he may talk with them. Naturally they can say nothing but good things about the prospect for they have signed the application. Generally the prospective appointee is called in and interviewed by the chief. If the chief does not know any of the signers he naturally falls back upon his political acquaintances for information. In nearly all cases, the mayor is consulted. Consciously or unconsciously, political influences enter into the appointments of most recruits. It can not be otherwise in a system where a political officer makes the final selection. The situation is aggravated when the political officer is appointed by and solely responsible to an elective officer, and where he must consult others to determine character, habits, and other qualifications.

After a man is once appointed nothing is said or done about character qualifications unless the individual is arrested, reported by the sergeant for being off duty, or some outsider makes a complaint.

The commissioners, in formulating the *Rules and Regulations*, had character in mind, for they said, "you must never forget that your character is your capital. Deal honorably with all persons, and hold your word sacred, no matter when, where, or to whom given."<sup>16</sup> They also warn policemen never to become personally obligated to anyone, for if duty demands it, they must act in opposition to any individual interest.<sup>17</sup>

*Character Records.*—The character of police in Davenport is unquestionably above the average of cities of sim-

<sup>16</sup> *Rules and Regulations*, p. 4.

<sup>17</sup> *Rules and Regulations*, p. 5.

ilar size. Good character seems to have been secured not because of the system of investigation, but in spite of it. Forty-four members, or sixty-six per cent, have clean service records, having never been suspended or fined a single day's pay. Only twenty-one have blemishes on the records which range from suspensions for one day up to seventy days. Of these twenty-one men, twelve have been disciplined once, seven twice, one four times, and one five times. The charges which produced the above penalties were failure to report, reporting late, drinking, intoxication, neglect of duty, and "not given".

This record is not bad when one considers that the time served in the department by the sixty-five men ranges from one-half a year to thirty-seven years, with an average of thirteen and one-half years. One captain has served thirty-seven years without being disciplined. The youngest member in service who has been penalized has served only one and one-half years. The patrolman who has forfeited sixty-two days pay on five offenses has served ten and two-thirds years, while the four-time offender, forfeiting seventy days pay, has served thirteen years. In the thirty-five times that disciplinary action has been taken against members of the police force an average sentence of eleven days suspension has been imposed. The records indicate that only one man of the present force has been discharged and later reinstated.

It is questionable whether patrolmen should be retained after having been disciplined several times for the same offense. Undoubtedly these men have violated the same rule many times without being detected, or if detected, not punished.

Disciplinary action in Davenport is not, apparently, a continuous process — but periodical drives are made. One-seventh of the disciplinary cases were brought in one week



in September, 1930. This was the result of a new chief's determination to "clean up". The penalties imposed at this time were small, but they served as a sufficient warning that there would be no more drinking on duty, a violation of rules which in former years went for the most part unheeded. The odor of liquor on the breath of policemen before going on duty was not uncommon during past régimes.

Not a single case was found in city or county court dockets in the decade from 1920 to 1930, where a member of the police department was found guilty of committing a felony. One member was suspended, charged with the commitment of larceny, but the case was not sustained and the accused was reinstated four days later.

*The Police Roll-Call Record* revealed that only four members have been discharged between 1920 and 1930: one in 1920, two in 1922, and one in 1926. The reasons for discharges do not appear on the records and in less than half the cases of suspensions are reasons given. Not infrequently a patrolman will resign and be reinstated when a new political party or faction comes into power. Again, no reasons are given for the resignation, but personal inquiry leads one to believe that usually the member has gained the ill-will of the chief, the mayor, or a member of the commission and is afraid of being spied upon and discharged at the first opportunity.

In the past eleven years fourteen members have resigned: five in 1920, three in 1921, and one each in 1922, 1923, 1924, 1926, 1929, and 1931.

Investigators and research students frequently look only for bad conditions and therefore fail to observe good points. Pages might be written on the excellent character of some of the members who have served from thirty-seven years down to ten years without producing a single de-

merit; traffic policemen who smilingly serve as information bureaus or leave their posts to aid the aged or infirm across the street; policemen who daily take chances of being injured to protect others; or officers, who in the face of uncrystallized public opinion conscientiously attempt to enforce the law.

#### HOW DAVENPORT IS ACTUALLY POLICED

*Foot Patrol.*—Until very recently Davenport was policed entirely by foot patrolmen. There were three eight-hour shifts and each patrolman was assigned to a charted "beat". He was expected to cover each street and alley regularly, calling in to the main station at a specified time from call boxes arranged at regular intervals. This system gave the office a check on each individual on duty; it assured the officers that each patrolman would make his rounds on schedule; it gave them a chance to communicate any desired information to the personnel; and above all it forced the policeman to stay on the job. If the calls were not on time, a motorcycle officer was dispatched to that area to ascertain the trouble. The two-man system (foot policemen patrolling in pairs) was never used, because this would have required twice the number to police the city. Though a few cities still retain this method it has been for the most part discarded, because it is wasteful. It also promotes inefficiency, and divides responsibility.

Davenport has now completely motorized its police force and the only footmen left are traffic workers — one sergeant and five men.

Just what effect taking foot patrolmen off regular "beats" will have on crime conditions remains to be seen. No one can deny that the ever present, uniformed, conspicuous, club-swinging policeman constantly patrolling each nook and corner of a given area was a powerful deterrent



to crime. His presence was a continuous warning to obey the law. His intimate knowledge of and acquaintance with the citizens on the "beat" made the law enforcing agency a human institution. His friendship, timely warnings, advice to parents, and many other services gave the public an opportunity to better understand the police system. The policeman patrolling his "beat" had greater opportunities to study his area and to become more intimately acquainted with its particular needs. While he could not cover as many square miles as the patrolman on horseback or in a car he could cover it more thoroughly. Foot patrolling has, however, rapidly given way to motor patrolling in the past few years. Today only traffic policemen do their work on foot in many of the smaller American cities.

*The Traffic System in Davenport.*—Less than ten per cent of the Davenport police personnel is engaged in traffic work, yet the judgment which they exercise in making arrests determines to a considerable degree the reputation of the entire police department as well as that of the city. Some attention, therefore, should be given to the system employed. The traffic policeman works from 9:30 A. M. to 6:30 P. M. during the week and on Saturdays from 9:30 A. M. to 9:00 P. M. He does not work on Sundays or legal holidays.

Davenport has an efficient traffic department. Its personnel is conspicuously courteous and experienced. During the American Legion Convention, Circus Day, and Fair Week the writer had ample opportunity to observe them in their work. They succeeded in keeping traffic moving when less skilled men would have produced hopeless "jams". They were never heard to abuse a single driver, regardless of what he did or failed to do. If time permit-

ted they informed the driver that he had violated a traffic rule, gave him a smile and a right hand salute, and motioned him on. Nor did the writer see a single instance of forcing the driver to the curb and ordering him to stay there until traffic slowed up enough to permit the officer to give vent to his feelings. Many violators are, however, arrested and forced to pay a "courtesy" fine.

Business men of the city realize the effect of harsh treatment to visiting shoppers, and as a result, the Chamber of Commerce has had windshield stickers printed which can be purchased at cost by any merchant and given to out-of-town shoppers. If the merchant gives them out indiscriminately to local patrons, the Chamber of Commerce buys his remaining stickers and withdraws the privilege. A "Day Guest Card" costs two cents and contains the name of the issuer, date issued, and the name of the one to whom it is issued. Each card is numbered and the perforated lower quarter is torn off and retained by the merchant. The other part may be attached to the car and permits the car to be parked on the streets for an unlimited time. Such a card does not, of course, confer any immunity as to offenses against State laws and a car bearing a sticker must not be parked in safety zones, in front of theaters, or near fire hydrants. On the back of the card is printed a list of places of interest in the city, a notification that near the business district one may park for an unlimited time on the paved levee which is under police supervision, and the words, "Our traffic officers desire to help you. Ask them for information."

Individuals who live fifteen or more miles from Davenport may obtain "Permanent Guest Stickers" from merchants. They are good for the entire year and when a sticker is pasted on the windshield the visitor is granted the privilege of parking in the "one hour zone" without



time limitation. These are furnished to the business men at a cost of four cents each.

This privilege, greatly appreciated by out-of-town guests who are unacquainted with the parking zones, is sometimes abused by local residents. Cases are recorded of merchants who bought their cars in another county, obtained "Permanent Guest Stickers", and escaped the overtime parking law for a year. Traffic officers are now alert to this form of cheating and it has been almost entirely curbed.

Each traffic officer carries a number of different printed forms with him and, exercising discretion, uses the form which is most applicable to the offense.

If an out-of-town individual violates a parking law, the officer usually ties a white "Police Department Welcome Visitor Card" on the car. In bold type it says, "This is not a summons", but it explains that the car owner has inadvertently violated one of the local traffic rules. The department apologizes for the difference in traffic regulations in the different cities, and again in bold type proclaims "You are excused in this first instance". It continues with a wish that the visitor be free from unpleasant experiences, but warns that public safety demands traffic regulation. On the back is a summary of local rules and the violation is checked.

The "Police Warning Sticker" is another form frequently used for out-of-town violators. This was formerly used for all violators, but proved unsuccessful. It is a pink, four by five sheet of paper, upon which is printed eighteen of the most common violations. In front of each is a square. This sticker informs the person that he has violated the ordinance checked below, and that, if this is his first offense, he should kindly take warning. If this is his second offense, he will be notified when to appear. A similar blank is retained by the officer. Blank space on

each is left for writing in the charge, the number of the car, the date, and the name of the arresting officer.

At the close of the day, the officers turn over the stubs to the traffic sergeant who enters them in a book. If this is a second offense the owner is summoned by post card. At first, trouble was encountered in using this form, for the owner frequently stated that his wife, son, or daughter was using the car on that date, so the entire family might have to be notified before a fine could be assessed. A new form was printed which merely stated that the license number of a car owned by the person addressed had been taken for violating a traffic rule and he must call at once at the police station. A blank was left for the date and the name of the arresting officer. On the stub retained by the officer was a place for the date, license number, location, offense, and the name of the officer. This proved inadequate because many persons could not appear "at once" without undue inconvenience. Furthermore, it was an easy matter for the officer to accept a few cigars or a malted milk from the violator and in return both tickets would be torn up.

In 1929 a new form was printed which said, "You have violated a traffic rule" and ordered the person to call at the police station with the ticket within twenty-four hours for further information. Blank space was left for the date and the name of the officer. On the officer's stub were blank spaces for the date, license number, location, offense, and name of the officer. Both forms have corresponding numbers and the traffic officer must account for each stub or pay the customary fine of one dollar. At present, when a car is tagged, the owner must appear at the station. If he fails to appear within twenty-four hours a post card is mailed, warning him to appear within the next twenty-four hours. If he fails to heed this, a warrant is issued for his arrest and the case goes before the police judge where a



minimum fine of four dollars and eighty-five cents is assessed.

If a violator appeared at the station without a warrant he was formerly assessed a "courtesy" fine of one dollar by the sergeant. This eliminated cost charges, congestion in police court, waiting, embarrassment, and issuing warrants, but State auditors in 1931 notified the department that traffic fines were not being properly handled; that the police had no legal right to assess a fine; and that in the future they must make out warrants and have the police judge assess the fine.

Only the chief and the traffic sergeant can excuse traffic violators, and then their reasons for so doing must be placed on the records.

The system of bookkeeping is excellent — simple and efficient. The double check system eliminates most of the chances for graft.

One of the traffic officers is located at the Municipal Levee Parking where cars may be parked for an unlimited time under police supervision. This seems only fair since business men who have cars have been driven from the streets close in by the "one hour parking law".

Another officer is located at the Iowa end of the Mississippi River bridge connecting Davenport with Rock Island and Moline, Illinois.

The other three are used to mark cars during certain hours of the day. The sergeant remains at the police station, has charge of all the traffic records, collects fines, and gives instructions approved by the chief. During peak hours the car markers are stationed at busy intersections to aid in directing traffic. The city has twenty-eight well-timed automatic signal devices to aid in the direction of traffic. The names of streets are plainly marked, and countless "Stop" and "Warning" signs, well located,

make Davenport one of the easiest cities in Iowa for driving.

*Motor Patrol.*—Since the day of foot patrolmen has passed in this city, nothing more need be said about this once important phase of police work. Modern conditions demanded that if the city was to be adequately policed more patrolmen had to be added or a different system devised. After considerable reflection it was deemed advisable both from the standpoint of economy and efficiency to completely motorize the police force.

The area within the city limits of Davenport covers seventeen and three-fourths square miles. There are a hundred and ninety-seven miles of streets, one hundred and thirty-eight being paved. Seventy-seven miles of alleys are also paved. To police this area there were in continuous service, in 1931, four regular squad cars, one emergency squad car, three motorcycles, one patrol wagon, one ambulance, and the chief's car. Four of the squad cars were "A" model Fords — three coupes and one coach — and the other was a Chevrolet sedan. The ambulance was a 1929 Studebaker and the patrol wagon was a 1927 Graham Brothers truck.

Squad car No. 1, at that time, patrolled the business district and had the smallest area to cover — the "beat" being twenty-eight blocks east and west and five blocks north and south. The remainder of the city was charted into nearly equal rectangular plots and each car was required to patrol its specific "beat". The usual method of patrolling was to drive from the east to the west to the end of the area, go north or south one block and then drive from the west to the east. This was continued until all east and west streets were covered. Then they started in a like fashion to cover the streets running north and south. Next all alleys



and parks were patrolled. There were three eight-hour shifts and each one was expected to cover every street and alley at least once. The more important thoroughfares were naturally given greater attention.

Such cars are equipped with a radio and carry two uniformed policemen. Each drives four hours while the other observes. Within the car are riot guns, tear bombs, arm and leg straps, first-aid kits, and necessary equipment to combat criminals. The cruising speed is from eight to fourteen miles per hour. Only one radio operator was employed in 1931 but two more were to be added as soon as the economic depression subsided. In cruising, each shift is expected to visit the sixteen pull-boxes and communicate with the main station. This requires approximately three minutes of time per box. The morning shift is expected to spend not less than half an hour in cleaning the cars.

The following table shows the number of miles traveled by each car from April 1, 1930, to March 31, 1931.

MILES TRAVELED BY POLICE AUTOMOTIVE EQUIPMENT, 1930-1931

	Chief's Car	Car No. 1	Car No. 2	Car No. 3	Car No. 4	Chev. Sedan	Ambu- lance	Patrol Wagon
April	717	2440	2261				1012	764
May	461	4355	4848		622		783	551
June	2	4535	4477		866		972	615
July	951	4149	4533		2264		988	612
Aug.	297	5095	4813		2514		886	673
Sept.	281	4796	3961		3003		746	592
Oct.	172	4782	4393		2259		949	531
Nov.	235	4568	3828	1130	2547	1130	765	441
Dec.	56	4321	3248	4234	1407	4234	767	339
Jan.	23	4349	5354	3931	1307	3931	1113	454
Feb.	71	3866	4105	3963	1136	3963	978	306
March	5	4765	4431	4672	1817	4672	1042	374
Total	3271	52021	50252	17930	19742	17930	11001	6252

The mileage in the above table is probably not indicative of the miles driven today for the system is new and alterations are made with experience. But by simple arithmetical

means it is easy to show that if cars numbered one and two were indicative, the four squad cars did not drive over each street and alley once per shift. One must also realize that the cars are not moving on the "beat" all the time. When an arrest is made the men must call the patrol wagon or bring the accused to the city lock-up. Serving warrants, time in court, car repairs, "pulling boxes", making investigations, and the like, necessarily take time and also keep the squad cars from performing their primary purpose which is cruising. More recent reports indicate that squad cars cover approximately sixty miles per shift per day.

There is a motorcycle policeman for each shift who remains at the station and handles emergency calls. These men are skilled riders and are better versed on all phases of police work than the ordinary officer. Their work is more hazardous and their clothing costs are twice as great (they are required to possess two complete, different uniforms) consequently the average man prefers regular patrol duty. It is the motorcycle man who must rush up to Blank Addition and pick up a drunken driver reported by someone in the neighborhood, or hurry to 610 Main where a drunken brawl is going on, or down to Credit Island where a hold-up is being staged, or out to 2642 X street where some jealous husband is beating up his wife, or down along the river where two negroes are fighting with razors. To him variety is the spice of life.

In 1931 it was difficult to determine whether the detectives were footmen or motorized. They had no regular car assigned to them but whenever they started out to run down a clue they usually took the emergency squad car or asked the motorcycle officer to give them a ride. In minor cases, they generally worked single handed, but if circumstances seemed to warrant assistance, they teamed up with another detective or with a policeman.



*Advantages of Motor Patrol.*—There seems to be considerable divergence of opinion regarding the efficiency of motorization. The system is new and has not yet reached the peak of efficiency. Changes produced by experience will no doubt better the system in the next decade. No accurate data has yet been obtained to compare the costs or efficiency of motor patrol with foot patrol. Yet certain obvious advantages and disadvantages have appeared.

It is generally admitted that a single policeman can not cope with modern criminals. This is especially true where organized crime prevails. Bank robbers, stick-up men, auto thieves, liquor runners, gangsters, and the like seldom work single handed but go in pairs or trios, or even in larger groups. If this is true, policemen should work in pairs. No one can drive and observe at the same time, therefore pairs are essential under motorization. Many police administrators feel that this makes the work more effective and does not divide responsibility as under the two-man foot-patrol system. Unquestionably an officer will take greater chances in getting his man if he has another officer near by to back him up.

When traveling in cars policemen are not so likely to be noticed by the person or persons committing crime. Thus they are able to get nearer the perpetrator before being detected. In case the criminal attempts to flee on foot, one policeman can give chase while the other in the car can cut off any avenue of escape. Many violations of law are committed in cars or by persons in cars, or escape is made with the aid of a car. Foot patrolmen are helpless in such cases while motor patrolmen can easily follow the criminal.

A foot patrolman can not carry the necessary equipment to combat hardened criminals. His only protection is a side arm and a club. Any attempt to shoot it out with men armed with sawed-off shot guns is suicidal. He can not

carry gas bombs which today are so effective in dispersing mobs, forcing criminals out of buildings, and the like. He may and does carry gas shells which are fired from his side arm, but they are ineffective at a distance or in a crowd. In the squad car, riot guns, bombs, rope, and all kinds of equipment can easily be carried.

A foot patrolman on the average covers less than two miles per hour, while a squad car cruises from eight to fourteen miles per hour. If circumstances warrant it, the car can be driven a mile a minute, while a corpulent patrolman would make little impression upon that distance in a similar time. A given area can be cautiously patrolled by a squad car seven times as frequently as by a foot patrolman. In Davenport police administrators firmly believe that patrolling is done more thoroughly and more quickly now than under the old method.

*Disadvantages of Motor Patrol.*—The disadvantages of motor patrol thus far observed are few in number. The most glaring defect is the fact that it is more difficult to observe everything that happens. Reflections from the windshield and door glasses add materially to the difficulty. Driving rains, snows, or frosted glass make observation impossible at varying distances. The handling of the car must necessarily detract attention. Furthermore, the foot patrolman walking on the sidewalk at slow speed can observe through the windows more that is going on in public and private buildings than can the observer in a motor car in the street.

Policemen have already found that crooks soon learn to "spot" a squad car. This is particularly true in cities where glaring insignias are used. In Davenport the identity is concealed as much as possible but an official car plate is attached below the auto license plate. On the other hand,



it is unquestionably easier to see a uniformed foot patrolman than it is to "spot" a squad car.

#### METHODS OF POLICE COMMUNICATION

Davenport has a large investment in equipment used for police communication, the amount running well up into six figures. Formerly two complete communication systems were constantly maintained, so that if one was out of order the other could be put to work immediately. The annual maintenance was thought to be more than it would cost to install and maintain a radio system, so a radio was installed about the time the force was completely motorized. Today all three signal systems are in use.

*Police Alarm System.*—A network of sirens scattered at convenient locations throughout the city and controlled by a switchboard operator at the police station are used during daylight hours. They may be easily heard a distance of eight blocks and the sound of a siren is a notification for the patrolman to rush to the nearest call box and communicate with the switchboard operator. The average time from the call to a response is approximately two minutes. There seems to be no difference between the time response obtained from the present day cruising cars and that from foot patrolmen in former years.

During the night, red lights strategically located are used to attract the attention of policemen. They are visible, on an average, only from a distance of two blocks. In the summer time, the heavy foliage of the trees and the fog from the Mississippi River greatly reduce visibility. The time response is slower than when the sirens are used. Cruising cars, because of their speed, now respond more quickly to the red light than did the foot patrolman. When the light is blinking it is a notification that the patrolman is to com-

municate with the switchboard operator. If a crime is reported to the station, the switchboard operator immediately starts calling the patrolman on that "beat". When the patrolman gets the signal, he rushes to the nearest call box and is given the necessary information. Then he proceeds to the scene of the crime. If a serious crime is reported, the motorcycle officer will also be dispatched to that place, and on many occasions he arrives in time to aid the officer in making the arrest. In emergency cases or where the officer fails to respond to the red signal, both sirens and lights are used at night. The sirens, however, are an annoyance when people are asleep and they are seldom used at night.

*The Radio.*— Although the old system of communication gave service adequate to take care of the needs of a city of 60,000 population, the up-keep was thought to be greater than the original cost and maintenance of a radio system. After motorization, better service was thought to be possible from using the radio than by using the siren and light system.

Little need be said about the history of radio and its relationship to police departments. After much experimentation the Detroit police department successfully put such a system into operation in 1928. They encountered the usual difficulties. There were "dead spots", and patrolmen tuned in on national hook-ups, thus missing broadcasts of local hold-ups. Gradually the glaring defects were eliminated and some remarkable "catches" were made. Publicity caused other cities to try the new idea.

Early in May, 1931, the Davenport police department purchased and installed modern broadcasting equipment. A licensed operator was employed and the system was given a trial. In all the police automotive equipment ex-



cept motorcycles, receiving sets locked to the station wave length were installed. The plan was successful, but financial conditions prevented the immediate employment of two additional operators. The radio is, therefore, used today only on the second shift which works from three to eleven P. M. The dispatching room is located in the main office of the station, and the operator gives his orders through the microphone instead of telephoning as when the old system is used. The operator takes care of all repairs and services all receiving sets.

Concealed in the top of each squad car is a copper aerial. The receiving sets are firmly fastened to the dash of the car while the loud speakers are attached on the left hand side above the door. While the car is cruising the radios are tuned in and each message can be distinctly heard. As much volume as desired can be obtained.

The Federal Radio Commission requires that the announcer broadcast once every fifteen minutes. This serves as a test of operation when there are no orders to be broadcast. Every quarter hour the operator calls "Attention Squad Cars". If the order is a general one, he reads it to all. If he has a message for a specific car he says, "Attention Squad Car number three", or four, as the case may be. Then the message is read three times after short intervals. The only check which he has to determine whether or not the car received the order is that if a message is not received every fifteen minutes the observer in the squad car must go immediately to a call box and notify the announcer that the message at such and such a time was not received. If the receiving set is out of order the car is driven to the station where necessary repairs are made. After investigating the complaint, the observer in the squad car dispatched to the scene of a crime reports back to the operator by phone, giving his whereabouts. "Pulling" boxes is

unnecessary for the patrolmen who work on the radio shift, but the practice has been continued in Davenport.

Some administrators claim that the radio is as advantageous to the criminal as to the police, since it is possible for ordinary sets to pick up police messages. Thus, it is claimed, intelligent crooks may start a fight at a far corner of a beat and after hearing the squad car dispatched to that place, they may go out and commit a robbery somewhere else in comparative safety. They might, of course, do the same thing with foot patrolmen. At any rate, the men in a squad car can get to the scene of a crime, do their duty, and be back cruising in much less time than the foot patrolman would require. Furthermore, the ordinary receiving set can not pick up low wave length broadcasting. And if listening in on police calls constitutes a serious defect, the government could easily set aside channels in the short wave bands which could not be picked up by the ordinary set.

Some critics maintain that the equipment for either sending or receiving may refuse to function at the exact moment when most needed. This is true, but the same might be said about any signaling device.

While the radio is not a cure-all, it has produced remarkable results. The most outstanding advantage is the great saving in time necessary to respond to calls. The message sent out is received immediately by all patrolmen in the city. If a "hit-and-run driver" or an auto thief evades one squad car, the others have a chance to apprehend him before he gets beyond the city limits. Furthermore, squad cars may be quickly dispatched to other "beats" in emergency cases.

The radio may serve as a deterrent to crime. If offenders believe that the chances of apprehension are greatly increased, some of them may look for a new profession.



Even the most sturdy adherents to the old school admit that the radio makes it more difficult for the criminal to operate.

One admirer says, "it gives the maximum mobility in the handling of scout cars, and puts them where they are needed, the most quickly of any system yet devised."<sup>18</sup>

The Davenport police radio station KGPM operates on 121½ meters (2470 kilocycles); it is a 50 watt machine; 100 per cent modulation; and crystal control. The system includes a modern transmitter and ten Delco receiving sets. Seven police cars and the fire department chief's car are equipped with receiving sets. The other two are kept at the station for replacing out of order machines.

The system, completely installed, cost approximately \$6000. The estimated annual up-keep is less than \$200. The entire amount is smaller than the average up-keep on the old Gamewell system.

The desks of the sergeant and the radio operator are pushed together. When a complaint comes to the sergeant over the phone, the operator starts warming up the machine, if it has been turned off. This requires twenty-five seconds. The message is then put on the air and repeated three times after short intervals. Immediately thereafter a complaint report is made on a blank furnished the operator.

During the month of June, 1931, 206 complaint calls were broadcast to the second shift. There were 233 in July, and 201 in August. The longest time interval between broadcasting a complaint and the reporting back by the patrolman was seven minutes, while the shortest was two minutes. The average time was approximately three and a half minutes.

<sup>18</sup> Shenefield's *How the Radio Aids Police Work* in the *National Municipal Review*, May, 1931, p. 270.

Five "dead spots" have been charted within the city limits where the receiving is faint or completely inaudible. The areas are small, however, covering from one-half block to a block and a half in length.

A few samples of the complaints broadcast to cruising cars, with the responses may be cited here.

1. To all squad cars — pick up stolen Whippet Coach 1928 Gray — 82 — 15222 (Car picked up and at police station — time 21½ min.)
2. Squad cars No. 2 and No. 3 — hold-up — 2113 Gaines (No report)
3. Squad car No. 2 — man having fit or going crazy — 1523 West High (Drunk — taken home)
4. Squad car No. 4 — bathers — no suits — St. Park (Kids, chased — time 2 min.)
5. Squad cars No. 2 and No. 5 — accident at 3800 Rockingham Road (Arrested reckless driver — time 2 min.)

Some humorous remarks are to be found on the patrolmen's reports back to the operator, for example — "Fight at ——— Main Street — both drunk — put 'em to bed". "Disturbance at 2553 Middle Road — made them put soft pedal on noise."

The radio system, too new to be highly efficient, has not devised adequate reports, nor have the patrolmen in all cases given whole-hearted coöperation. Only during the first month did the patrolmen call back to the operator and state what disposition had been made of the complaint. The individual complaint sheets for August, 1931, are incomplete and the time interval between broadcasting the complaint and final disposition is omitted in the majority of cases. Unquestionably, better forms, reports, and co-operation will be forthcoming when two more licensed operators are employed and these operators are appointed as



policemen. There will then be no object in forcing motor patrolmen to "pull" boxes as is the case today.

The reports indicated that several messages were not received because the "switch was off" on the receiving sets. This is the result of inexcusable negligence on the part of patrolmen. It should be the business of the observer in each squad car to see that such mishaps are few and far between. For such acts of carelessness or inefficiency the chief would be justified in taking disciplinary action. As the force becomes more acquainted with the system better results may be expected.

#### POLICE EQUIPMENT

The efficiency of a police department depends to a considerable degree upon the kind, amount, and upkeep of equipment furnished the men. Davenport has not hesitated to spend money for modern equipment.

*Automotive Equipment.*—In 1931, five squad cars, all less than a year old, were at cruising work twenty-four hours per day. They were light, speedy cars (four Ford coupes and one Chevrolet sedan), kept immaculately clean and in perfect running condition. Each one was supplied with the following equipment: a Delco radio receiving set and a loud speaker; a twelve gauge, six shot riot gun; leg and arm straps which are used on desperate or insane individuals; large and complete first-aid kits; a club; a siren; a spot light; and a clock. In addition, each patrolman carried a side arm, a sap, and "come-alongs".

The ambulance was a 1929 model Studebaker, equipped with a radio, a first-aid kit, arm and leg straps, a suit case containing basins, bandages, and the like, a club, and a stretcher with adequate bedding material. No riot guns or side arms were carried by the ambulance men.

The patrol wagon was a 1927 Graham Brothers chassis and carried the same equipment as a squad car. It was strongly constructed, with the windows and rear entrance covered by heavy iron bars.

Three motorcycles with side-car attachments completed the automotive equipment. They were 1929 models and fully equipped for police work.

All repairs are made at the municipal garage where competent work and speedy service is maintained.

*Signal Equipment.*—This subject has been partially treated under the heading *Methods of Communication*. No attempt is made to report the miles of aerial lines, underground high and low voltage cables, number of telephone circuits, number of police signal circuits, number of police reporting stations, number of police call systems, traffic signal control stations, and the like, nor will any attempt be made to describe the physical property required to maintain a modern police signaling device. It is sufficient to say that it is an intricate network of wires, cables, large and small mechanisms, batteries, switchboards, and the like. The original cost runs well up into six figures. Its maintenance cost for 1929-1930 was representative and amounted to \$6340.

With this expensive equipment on hand the police department in 1931 thought it wise and economical to install still more modern equipment — the radio.

*Defensive Weapons.*—Modern machine guns have been purchased for emergencies. Thus far they have never been used and they seem to be a poor investment for at least two reasons: (1) the men have not been competently trained in the use of such arms, and would be generally incompetent should the occasion arise; and (2) they are kept



under lock and key at headquarters, and could seldom be used even if an emergency arose to require them.

Riot guns, sometimes known as sawed-off shotguns, are to be found in each police car. They are easily carried, require no special training in their use, and can be used effectively at close range even by an amateur. They are probably the most deadly weapon used in law violation or law enforcement. The shells are heavily loaded with buckshot.

Tear bombs are most effective in dispersing mobs, forcing criminals out of buildings, or halting the escape of prisoners. Those supplied for the police department in Davenport are locked in the police vault and only under certain conditions could they be put to work. Each patrolman, however, carries tear gas shells which can be fired from his side arm. These are sometimes used if an insane or drunken man resists the policeman, or to force a person out of a locked room. Motorcycle officers have found them to be effective on dogs. When these shells are fired at close range the gas will irritate and inflame the eyes producing temporary blindness. After a few hours, however, no ill effects result.

Three fountain pen gas guns are also available at headquarters. They are harmless looking, but when the trigger is pulled an explosion takes place which sprays tear gas and produces results similar to those described above.

Side arms are not furnished by the department but must be purchased by the policeman. This gives an opportunity for a vast array of different kinds of pistols, revolvers, and automatics. No specifications are demanded but it is recommended that the calibre be a 38 or a 45. A policeman's life sometimes depends upon his ability to shoot and to hit first. Therefore, it is said, each one should be given an opportunity to select and carry the gun which he handles best. The same argument might be used concerning soldiers but

the military authorities determine the kind of gun to be used in the various services. Some members carry side arms which are completely out of date, ill-balanced, and unworthy of service. Such conditions are to be expected where side arms are the private property of each patrolman. The department should furnish each man with a new, modern, heavy calibre automatic, hold the individual responsible for its return and condition, and train him in the art of using it. If need be, a part of his salary could be withheld to insure this responsibility. It seems strange that uniformity is closely guarded in wearing apparel and neglected in this important instance. With up-to-date city-owned equipment, greater enthusiasm might result. A "make believe" inspection is held monthly by the police and fire commissioners, but it is hardly worthy of the name.

*Pulmotor.*—A modern up-to-date pulmotor is kept at police headquarters, and one man on each ambulance shift is trained in the use of this machine. Davenport, built on the Mississippi River, has many drownings. The pulmotor has saved several lives since being added to the police equipment. Its greatest service is in reviving those who are overcome by gas.

*Personal Equipment Furnished by the Department.*—Each member of the force is furnished a baton, a Sam Brown belt, "come-alongs", a rubber coat, a book of rules and regulations, a patrol-box key, a notebook, a shield, and a cap badge bearing a serial number. These things remain the property of the department and each officer must account for this equipment when he leaves the department.

*Personal Equipment Purchased by Each Member.*—The ordinary patrolman, after being sworn in, must spend ap-



proximately two hundred dollars for clothing and equipment before assuming his new duties. The standard equipment and the current prices in 1931 were as follows: blue uniform, \$52.00; cap, \$4.00; leather coat, \$28.00; black shoes, \$10.00; handcuffs, \$6.50; shirts, \$4.40; flannel shirts, \$10.50; summer hat, \$3.00; overcoat, \$45.00; side arm, \$32.00; holster, \$3.00; shells, \$1.50; shell belt, \$2.00; sap, \$2.50, a total of \$204.40. If the officer is assigned to emergency duty he must expend nearly a hundred dollars more for motorcycle clothing. Some of this equipment will last a lifetime but police work is hard on clothing and few men are able to obtain a year's service from a suit. Policemen in Davenport keep their clothes well cleaned and pressed and their shoes shined.

#### DIFFICULTIES ENCOUNTERED BY THE POLICE

Cities bordering on the boundary line of a State encounter more difficulties in police administration than do inland cities. This is more noticeable when there are one or more cities on the border line of the other State. Habitual criminals soon learn that their chances of apprehension are considerably reduced if they can cross over into another State. Petty thieves, auto thieves, stick-up men, burglars, and "hip pocket" bootleggers, appreciate such geographical locations and often choose them as a base of operation.

Long ago the quad-cities (Davenport, Rock Island, Moline, and East Moline) realized that in order to produce results the various police departments must coöperate whole-heartedly. They have developed a criminal report exchange and a finger-print exchange between these cities, and each police department gives conscientious aid to the other. Only once in recent years has ill feeling arisen between quad-city police administrators. This was during the "Looney days" when Rock Island found herself held firmly

in the grasp of Looney — “a blackmailing, scandal sheet newspaper operator”. After the gang was overthrown in Rock Island, coöperation was again resumed.

If a Moline citizen commits a crime, or is thought to have committed a crime, in Davenport, and crosses the river before being arrested, the chiefs get into communication and the individual is arrested by the Moline department on a charge of being a fugitive from justice or a suspicious character. When he has been picked up, the Davenport police are notified. The accused is then brought to the Davenport station where proper charges are filed or where he may be questioned. Strange as it may seem, this procedure goes on from year to year, no one, apparently, demanding extradition papers.

Some illegal, or extralegal, practices in regard to the theory of hot pursuit have developed in these cities, but thus far not a single case has been contested. For instance, if a squad car in Davenport gives chase to a car and it crosses the bridge into Illinois the Iowa policemen follow. They may have to run through Rock Island, Moline, East Moline, and on to Silvis before making the capture or giving up the chase. If the offender is overtaken, he is taken into custody, the policemen using all force necessary to accomplish their aim, and the accused is taken to the nearest Illinois police station where the desk sergeant officially makes the arrest. The accused is then taken from Illinois back into Iowa where he is again officially arrested. Davenport grants the same privileges to Illinois police departments. Many of these arrests could no doubt be contested in court. Administrators on both sides of the river agree that their difficulties would be increased were it not for the bridge, where traffic is always heavy, the speed slow, and officers constantly on duty. A telephone call to the bridge officer telling him to close the huge iron gates has made



escape impossible for some desperadoes. This procedure is not used for minor violators, however.

#### PREVENTION VERSUS DETECTION OF CRIME

Fifty years ago detection of crime was the all important factor. Very little time, effort, or money was devoted to prevention. In recent years prevention has been given greater publicity and earnest attempts are being made to discover the causes of crime and to prevent its occurrence. To reduce crime, at least three distinct objectives must be considered: (1) to minimize the incentive to crime; (2) to set up far more effective deterrents to the commission of crime; and (3) to restrain the freedom of individuals whose emotional or moral characteristics are such as to predispose them to crime. Until progress has been made in these directions we can not hope to accomplish a great deal in crime prevention.

In none of these fields can the policeman with his scant amount of education accomplish much. Administrators in Davenport use the phrase "prevention of crime" in its narrow sense. Rule three (*Rules and Regulations*) explains that the prevention of crime is the most important object in view, and urges that the exertions of each policeman be constantly used to this end. The absence of crime on his beat will be considered the best proof of his efficiency. He must watch the conduct of all persons of known bad character, "and in such manner that it will be evident to said persons that they are being watched, and that certain detection must follow any attempt to commit crime." The only attempt in this direction is by the mere show of policemen and its effectiveness has been nearly destroyed by motorization, since patrolmen in cars try to be as inconspicuous as possible. The result is greater effort placed upon quick apprehension and less attention to prevention.

In Davenport the only outstanding preventive work is performed by the policewomen. This will be discussed under another heading. Only the most obvious mental defectives are examined when arrested by police, and those who conduct the examinations are not thoroughly competent to do this type of work. No provisions are made for psychopathic observations before sentencing or binding over to the grand jury. Thus we may say that Davenport, like the whole State of Iowa, has made very little progress in crime prevention. Patrol duty is monotonous; detection is interesting. The policeman who ferrets out a gangster or a "fence" becomes a hero, eligible for promotion; the officer who prevents ten boys from becoming criminals is labelled a "Dad". Many of the "old timers" frown upon preventive work, but it is truly as much a part of their responsibilities as it is for the fire department to prevent fire, or a board of health to prevent disease.

Poverty is one cause of crime, and while policemen are not expected to prevent or solve the problem of poverty they may prevent some persons who are forced to steal or starve from committing crime. Aiding the needy ones in finding employment, or directing one of the many charitable organizations to aid them, is one form of prevention.

Mental deficiency frequently results in criminal inclinations. A weak mind is easily tempted and may become the tool of a master mind. A child's mind in an adult's body is a bad combination. Our legal system recognizes the irresponsibility of children but takes little or no cognizance of the morons or the feeble-minded adults who frequently become habitual criminals. Confinement does not help them. They need hospitalization rather than penalization. Here again the policeman may prevent crime by knowing such individuals who live in his district and reporting them to the proper authorities where treatment may prepare the



defective to take his place in society. A study of this type of criminal, plus constant agitation by the police, might result in needed legislation to segregate or sterilize the incurables, thereby keeping them from reproducing their kind in ever increasing numbers.

Drug and liquor habits have enslaved many men and women. "Drink and drug are silent partners in many a crime". Confinement in ordinary penal institutions will not cure such addicts and policemen can not destroy the individual's desire by making arrests. Police can, however, make an honest effort to enforce the laws which regulate or prohibit the traffic in liquor and drugs and thus help to prevent their use.

Individuals, branded as convicts, are likely to be repeaters. It is difficult to live down a prison record. Policemen could reduce crime if they would pay especial attention to released prisoners and, instead of hounding them, aid them in obtaining a new lease on life.

#### SPECIAL SERVICES

The mere policing of a city today is not enough. Modern cities must offer special services to their citizens. Several years ago, Davenport recognized the need for additional protection to women and children, especially those who become entangled in the meshes of the law. Conscientious citizens felt that a better method of handling female and child law violators should be established, that such offenders ought not to be in the custody of male police, and that complete segregation of male and female, adult and youth, was essential for proper corrective treatment.

*The Policewoman.*—A policewoman was first employed in Davenport in 1922, and the same woman continues to serve in that capacity. It was necessary at first to prove

her value to a hostile police force. She soon demonstrated that she could get more information from female and juvenile prisoners because she knew how to question them, and there was no chance for them to evade explanations, to appeal for sympathy, or to make charges of misconduct on the basis of sex, as had been done when women prisoners were handled by male officers. Such prisoners both love and fear the policewoman, for she can aid those who truly need help and she can see that the unworthy are punished. They dread the woman questioner because she can ask questions, and expect answers, which men can not.

Careful selection as to personality, training, and experience is necessary before the policewoman can contribute to this specialized work. It is essential that the appointee be unimpeachable in character, and that she study changing social conditions.

The policewoman in Davenport is greatly interested in her work of saving boys and girls from the human scrap-heap and she devotes more hours to her work than any other member of the police force. To better prepare herself she took night courses in sociology at St. Ambrose College. Her previous training had been obtained from helping her father rear a large family of brothers and sisters and later adopting two more children. She reads widely on protective police work; questions those brought before her intelligently; and offers parental sympathy and advice to all. Even though she falls short of the minimum standards set up for policewomen at the National Convention of Chiefs of Police in 1922, her tireless efforts and love of her profession make her thoroughly competent to serve.<sup>19</sup>

In the beginning her major work was supervising dance halls. Gradually these places were cleaned up and public

<sup>19</sup> Haynes's *Criminology*, p. 95.



dances in Davenport became the "most respectable in Iowa". With the addition of another policewoman the duties were greatly broadened. The policewomen now take charge of all complaints brought to the police station involving women and children, lost children, problem children, truants, neglected children, leaders of boy gangs, immoral youths, thieves, runaways, dependency, immorality, and domestic difficulties.

Complaints which deal with community conditions require much of their time. Among these are disorderly houses; prostitution; "speak-easies", where liquor and drugs are sold to women and juveniles; or violations of the liquor and drug laws by women and youths. Other complaints deal with crimes committed against minors, and still others reveal crimes committed by women and children.

When time permits the two policewomen do patrol duty. They visit any public place which may prove harmful to women and children. They visit downtown streets, parks, hotels, rooming houses, boat excursions, dances, street carnivals, "blind-pigs", depots, burlesque shows, and the like.

Young girls who come out of suspected disorderly houses are frequently questioned and arrested. Some are found to be pregnant or afflicted with venereal diseases. Out-of-town girls known to be unemployed and without visible means of support are jailed or "run out of town".

The policewoman and matron are regular officers in the police department and receive the same rate of pay as the men. The status of the policewomen on the regular force has suffered because they are unsuited to a semi-military organization and because they are more interested in prevention work than in the detection of criminals. The Davenport force, composed for the most part of "old timers", has not been entirely in sympathy with this new movement.

Several of the officers interviewed complained that the women were not competent to go out on the streets and make arrests and that they generally required male officers to accompany them when raiding or visiting "tough" places; that they were too sympathetic with law violators; and that much of their work should be and was being adequately cared for by local social welfare groups.

A few hours work on the records kept by the policewoman would seem to disprove the last assumption completely. The overseer of the poor, the county probation officers, the Lend-a-Hand Club, the Catholic Society, and the Industrial Relief Society are important local organizations interested in preventive and protective work. For the most part, the members are untrained social workers. There is much overlapping of services and a noticeable lack of coöperation. The policewoman has gradually become the coördinating factor among these societies.

Less than seventy-five per cent of the cases handled by the policewoman had been reported to the police department. For minor violations and first offenders, honest attempts are made to adjust the complaints without taking the case to court. There is a follow-up on all cases where the violator is paroled. It is generally conceded that the policewoman has more control over, and better success with, the youths than does the male county probation officer.

Although the policewoman in Davenport has saved her salary many times in the past ten years in correcting wayward children rather than making them inmates of State institutions, the records are too incomplete to determine scientifically the true value of her work. In the first six months of 1931 she handled and solved forty-one cases. Hundreds of other cases were handled in which recommendations or advice were given children or parents and no



record was retained. Only records of the more serious cases are kept on file. The following is typical: A sixteen year old high school girl from an Illinois town, who had been kept out all night by her boy friend and was afraid to go home, came to Davenport. She soon ran out of money and a local man paid her room rent for a week at a cheap rooming house, later taking her to X's Place (a known prostitute). The girl was picked up by police. The policewoman took the case and obtained the confidence of the girl. She listened to her story, had the local man arrested, and assisted in his conviction. She also got in touch with the girl's mother who immediately came to the city. The mother, a refined woman, was told of the girl's sex experiences, and though deeply grieved she took the girl home where she is now ready to start life anew.

Attached to many of the cases disposed of by this woman officer were letters from the offenders. They reveal the true value of policewomen. The writer also had opportunity to interview over twenty girls who had either been arrested by the policewoman or had been paroled to her. All but two spoke very highly of her efforts. Several praised her enthusiastically for putting them on the "straight and narrow path". Others declared that she had treated them more kindly than their mothers would have done under similar conditions.

Since both the district judge and the police judge frequently parole offenders to the policewoman, this phase of work deserves some consideration. Real probation means more than a scolding or a chance to escape imprisonment. It means more than periodical reporting to the parolee. It must include the untangling of causes which brought the youth before the court. This requires time, for not infrequently the parents of the delinquent must be studied and advised. "Pitfalls can only be avoided by friendly, pa-

tient, and sympathetic parolees''. In Davenport there is no definite period of probation, consequently the offender may be forced to report for years unless a readjustment is made. On some days much of the policewoman's time is consumed in interviewing paroled boys and girls, giving them words of encouragement, helping them solve their problems, or in aiding them to find employment.

Is this work worth while?<sup>20</sup> It has been estimated that the average per capita cost to the State of each prisoner for a year is approximately \$500. If the duties performed by a policewoman keep four individuals per year from being confined in prisons she has saved more for taxpayers than the amount of her annual salary. Furthermore, she has made useful citizens out of some of her wards and kept them from a life of crime. Such gains can not be measured in dollars and cents.

Since the only truly preventive work done in the city of Davenport is performed by the policewoman, it would seem advisable to increase their number and to organize under the "Unit Plan" whereby the women officers would operate as part of a separate bureau with a commanding officer responsible to the chief.

Ten years experience as an officer of the law has led the policewoman to certain conclusions, among which are the following: the youth of today is worse than the youth of ten years ago; many girls who attend public dances will take a drink — some will get drunk; prostitution is worse than it was in the days of the "red light districts"; enlightening the youth on sex problems has contributed to early delinquency; and most youthful prostitutes are mentally deficient.

<sup>20</sup> The report of the policewoman's division for the year 1930-1931 shows the following cases handled: court cases 92, non-court cases 206, cases with other officers 36, cases adjusted in office 93, cases referred to other agencies 92, investigations out of office 162.



*The Police Matron and the House of Detention.*—In order to segregate male and female prisoners completely, the city of Davenport has established a House of Detention in which short-time female offenders serve their sentences, and where female witnesses or girl delinquents are detained. Female prisoners who receive sentences for periods longer than five days are sent to the Scott county jail, the Juvenile Home, or some State institution.

The House of Detention is in charge of a matron who ministers to the well-being of the women in her custody and accompanies them when it is necessary for a prisoner to leave the detention quarters during her sentence. She has the same power and authority as a policeman. The present incumbent has served in this capacity for eleven years and holds a first-class rating. She is directly responsible to the chief of police and is on duty continuously, being subject to call at any time during the day or night. She may not absent herself from the House for longer than four hours without permission from the main station. It is, therefore, necessary for her to live in the House of Detention. Comfortable quarters have been provided with a hallway dividing her rooms from the cells. On one side of the building is a row of three cells, each large enough to care for four prisoners. All are spotlessly clean, freshly painted, with clean windows barred from within. When the cells are occupied the windows are kept open in warm weather. Each cell has a clean wash bowl, a stool, running water, drinking cups, coat hangers, and cloth towels. In two of the cells there are bunks on each side, each with a thick pad, good clean blankets, pillow, and white pillow slip. The bedding is changed when prisoners are released.

There is one well equipped cell for witnesses or the better class of women. It contains a three-quarter bed, pad, mattress, pillows, sheets, blankets, spread, chairs, and a table.

Each cell is well lighted and the lights are controlled from the hallway. The women may use them until midnight if they so desire.

The entire building is disinfected regularly and is free from vermin. Due to the energy of the matron, the House is kept as clean as any home. She, herself, has painted the cells and furniture. She permits the inmates to use her private library and subscribes for magazines which particularly interest women prisoners such as *Love Stories*, *True Confessions*, *Photo Play*, and *True Story*. Few inmates enjoy *The Ladies' Home Journal* or *Good Housekeeping*, but some will read them in preference to sitting around idle.

Those confined may write letters but no inmate is to be given a pencil without the matron's consent. She has learned that many of these women enjoy writing filthy verses on cell walls. Now a writing hour has been established and the matron sees that the scribbling is done on paper. A crystal radio set is furnished by the matron to the better prisoners for their entertainment.

At the west end is a barred laundry room with adequate equipment and running hot water so the women may wash their clothing. Prisoners are given all the hand and laundry soap needed to keep themselves clean.

Meals are not cooked for the inmates but are brought in from a nearby cafe. Each prisoner is given three good substantial thirty-five cent meals per day. The food is the same as that served to the policemen at the Car Barn.

Some of the women confined have venereal diseases and are treated by the city physician. The matron's records<sup>21</sup> indicate that intoxication, investigation, and disturbing the

<sup>21</sup> There were 184 females confined in the House of Detention during 1930-1931, the most common charges being: intoxication, 33; investigation, 32; disturbing the peace, 22; vagrancy, 13; larceny, 12; inmates of disorderly houses, 11; immoral life, 9; and 5 each for forgery, fraud on rooming-house keeper, and keeping a disorderly house.



peace, in the order named were the charges on which the larger number of these women were committed.

The majority of females taken to the Detention House are arrested and brought there by the policewoman, but some drunks or "bad actors" are taken in by policemen. The House of Detention is adjacent to the Car Barn where the ambulance squad and the patrol wagon squad remain awaiting calls. If the matron needs help some of these policemen are always present and ready to render assistance. When taken before the court or the probation officer the woman prisoner is accompanied by the matron or the policewoman.

*Scott County Juvenile Home.*—Although the Juvenile Home is a county institution it harbors few wards who live outside the city limits of Davenport. Both juvenile delinquents and dependents are temporarily detained there. The records over a period of years indicate that sixty per cent of the cases handled are of a criminal nature and therefore should be considered in this survey.

Juveniles, both boys and girls, who are being held for investigation or detained until the court determines what disposition shall be made of their cases, are confined in the Juvenile Home, but seldom for a period as long as thirty days. Most of the cases are disposed of in from three to five days. Dependents are sometimes kept for longer periods. The minor criminal delinquent is placed under the care of a matron at the Juvenile Home. Cells similar to those found in the ordinary jail are used for the older and more hardened youths. After sentence is passed the offender is taken to the county jail where a juvenile section is maintained or to one of the State institutions. Sufficient protection is afforded by completely segregating the youthful delinquents from the youthful dependents. All are

cared for by the matron and a female cook. The only man about the Home is the husband of the matron.

The delinquent girls are escorted to and from the Home by the matron, the policewoman, or the female probation officer; while the boys are escorted by policemen or the male probation officer.

Because of the short period of detention, no work is provided for either group, and little or no education or training is given them. The matron permits the older girls to sew and read, and sometimes teaches them the fundamentals of needlecraft.

The Home, formerly a private house, is located on the outskirts of the city and has been remodeled to meet the needs. Dependent children are permitted to play in the adjacent vacant lot during the summer months, but delinquents are confined at all times.

The Home is kept neat and tidy by the matron who has served twelve years in this capacity. Each incoming juvenile is deloused and bathed in the basement. Their clothing is kept clean and the food served to the inmates is ample and wholesome.

Through the policewomen, the House of Detention, the matrons, the Juvenile Home, and the female probation officer, the city of Davenport has offered special protection to women and children so that in nearly all cases they are handled from the time of arrest to the final disposition of the case by competent, experienced women. Segregation is excellent, for the young are kept from the old and the males are separated from the females at all stages from arrest to release.

*Ambulance Squad.*—The most unique service offered by the police department is performed by the ambulance squad. When the ambulance was first purchased the city calls were



insufficient to keep two men busy. The service was extended, so that citizens, by paying a reasonable fee, might use it. This practice was followed for a number of years until the Socialist party came into power. At that time the fee was dropped, and since that time anyone, on order of any doctor, either private or hospital, or on an order from the overseer of the poor, may ask for this service. Anyone needing hospital or medical treatment is hauled without charge. Any invalid who desires to be moved from one place to another is taken care of by the ambulance squad. When one is discharged from the hospital a call to the police station will insure a free ride home. Any emergency case within or without the city limits (up to fifteen miles) is serviced. During the year 1930-1931, however, \$103.00 was collected by the squad. During that time the ambulance traveled 11,000 miles; carried 935 sick or injured to the hospital; 1170 sick or injured home; 72 sick or injured to the depot; 24 sick or injured to the station; and made 83 "water hauls" or fruitless trips. In addition to this, the patrol wagon hauled some sick and injured to the hospital or to their homes.

Records were not available to determine the number injured on the streets which required ambulance service. It is safe to say that the vast majority were cases of sickness which in most cities would not have been handled by the police department.

The ambulance squad is composed of six regular uniformed policemen who work in three shifts of eight hours. They are assigned to this duty by the chief who informed the writer that it was not a place for the "sick, lame, and lazy". They are subject to call the same as any other policeman but seldom are they ever used for any other purpose. One member, though an honest old patrolman, is completely illiterate.

*The "Flop-house".*—At the lock-up in the City Hall, a large cell is reserved for the unfortunate men who find themselves in Davenport without the price of a bed. Here they may remain over night in a warm, clean place although it is devoid of beds, bedding, and other conveniences, except a toilet. The occupants sleep on newspapers laid on the cement floor or upon a wooden shelf built around the cell. Hardly a night passes without some lodgers. During cold and inclement weather the room is crowded. In 1930-1931, 5221 were registered, there being an average of thirty-one per night for February. Only the sick or most unfortunate ones are fed before being sent out in the morning. It is not uncommon for tramps to request and receive short county jail sentences on vagrancy charges so that they may bathe, wash their clothes, rest up, and get some food before going on the road again.

*Auto Theft and Recovery Bureau.*—Stealing and dismantling cars has grown to be a profitable business. Many gangs are engaged exclusively in this form of crime. Sensing the need for greater specialization, the Davenport police department created an auto theft and recovery bureau in 1931, assigning one first-class policeman to this duty. This officer now devotes his entire time to this work. The bureau has not yet had sufficient time to organize the work thoroughly nor to install adequate forms and reports to indicate its efficiency.

*The Annual Police Report* for 1930-1931 lists only thirteen cases of larceny of motor vehicles, and twelve cases of violation of the Dyer Act. These figures indicate only the number of cases tried before the court. An attempt was made to ascertain the number of automobiles reported stolen during 1931 but the records were in bad condition and it would have required many hours to obtain this in-



formation. No doubt this bureau will be made more effective and modern reports will be kept when it is properly organized.

*Methods and Amounts of Stolen Property Recovered.*—During the year 1930-1931, \$13,422.99 worth of property was reported to the police department as stolen. Of this amount, \$2,510.50, or 18 per cent, was recovered.

An ordinance of Davenport requires all pawnbrokers, loan brokers, second-hand stores, and junk dealers to make a daily report to the chief of police of all property purchased or pawned with a description of the merchandise and of the person pledging or selling it. Failure to make this report constitutes a misdemeanor and makes the individual liable to a fine of from one to one hundred dollars or imprisonment not to exceed thirty days.

The law is weak, however, in that there is no way to force these shops to submit a complete report. Loose diamonds, watches, rings, and other forms of jewelry are easily concealed. If the proprietor accepts a stolen watch which is later recovered, he is the loser. There is, therefore, an incentive to neglect to report "hot stuff", and it would be nearly impossible for the police to search every shop thoroughly each time articles are reported stolen. In going over the pawnshop daily reports on file in the day captain's office one feels that they either do not do much business, or their reports are incomplete. Some property, however, is recovered through these reports. A watch stolen in 1917 was recovered and the guilty party arrested when he pawned it on August 17, 1931.

Other forms of property are more difficult to trace. Uncut diamonds and auto parts defy identification by amateurs. Generally the detectives arrest suspects and bring them to the station where a barrage of questions by two

detectives, the chief, and possibly two other officers is fired at the accused. If he is able to withstand the fire without incriminating himself he is released. Many times a slip of the tongue gives the detectives a clue to the guilty party. If more than one person is involved and the officers succeed in getting a confession from one, it is generally easy to round up the entire gang. Twice during the month of September, 1931, the writer watched detectives clean up two groups of youthful thieves — one engaged in stealing automobiles and the other in stealing onions from farms in Iowa and Illinois.

#### CRIMINAL IDENTIFICATION AND INVESTIGATION

Criminal law enforcement is seriously crippled unless some system is maintained whereby those suspected or accused of crime may be identified and their previous criminal record, if any, ascertained. This phase of police work has made rapid advancement in recent years, yet the United States, as a whole, lags far behind continental Europe. Photography, finger-prints, measurements, and rapid means of communication such as the telegraph, telephone, radio, and even the airplane have made it easier to follow the criminal. Rapid interchange of criminal records between cities and States make it more difficult for criminals to operate. Possibly television will, in future years, solve this need.

Some scientific method is necessary if the first offender is to be distinguished from the recidivist, or if stiffer penalties are to be imposed upon the individual who repeatedly violates the law.

In 1920, Iowa, sensing the importance of such an institution, established a State identification service, being the fourth State in the Union to do so.<sup>22</sup>

<sup>22</sup> Robinson's *Criminal Statistics and Identification of Criminals* in the *National Municipal Review*, December, 1927, p. 775.



*Bureau of Identification in Davenport.*—Some method of identification is an indispensable necessity in gaining and maintaining control over criminals. Consequently the police department of Davenport has established a bureau of identification in charge of the lieutenant. The taking of photographs, finger-prints and other measurements is known in the vernacular of the police as “mugging” the prisoner.

No photograph or measurements may be taken of a person arrested or fined for a violation of a city ordinance. Suspects are taken to the bureau only upon the order of the chief and no photographs are taken of them “unless they are held for investigation or bound over to the grand jury on a criminal or felony charge, or they are found to have a criminal record by Bertillon measurements, finger-prints or other means of identification except upon order of the chief.”<sup>23</sup>

The dactyloscopis or the finger-print system has completely supplanted the old Bertillon method of bodily measurements. The ridges on the first joint of each finger produce patterns which are capable of accurate classification. “These patterns appear three months before birth and disappear after death only with the dissolution of the body.”<sup>24</sup>

Even though these ridges be removed with acid or pumice stone they invariably grow out again exactly like the originals. They are, therefore, distinctive and constant and they furnish an absolutely scientific method of identifying an individual. Of all the prints taken, no two impressions have been found which were identical. A century ago, detection and identification was a skill acquired by practice. Today it has become a science, with a number of important subdivisions.

<sup>23</sup> *Rules and Regulations*, p. 23.

<sup>24</sup> Haynes's *Criminology*, p. 101.

The Davenport bureau of identification was established on May 20, 1916, and since October 11, 1927, it has been under the supervision of Lieutenant John J. McDermott who has spent the last thirteen years in the police department. He took a correspondence course at the University of Applied Science, Chicago, Illinois, and obtained a degree. The course dealt with finger-prints, measurements, and materials useful to policemen engaged in criminal identification. His knowledge of photography was gained through experience and outside reading.

All persons held for felony, fugitives from justice, all drunken drivers, all violators of State liquor laws, white slavers, those convicted of the Dyer Act (the national auto theft act), all Federal prisoners on whom such information is asked for by the government, and all those held for investigation or suspicion (if the chief so orders) shall be finger-printed and photographed.

All the identification work for Scott County, Iowa, is done by the local police department, the county paying half of the expense, not including salaries.

On an average, 176 criminals have been photographed yearly, but the average for the past three years was approximately 300. There are now 2632 photographs on file in the department.

A few more law violators are finger-printed each year than are photographed. The average is 325 per year and approximately 3000 finger-print records are now on file in the office.

The materials used for finger-printing are few and inexpensive — a piece of tin, some printer's ink, a rubber cylinder, some white cards, a little benzine, and some clean cloths. Any normal person can learn to take excellent prints in a relatively short time.

After the finger-prints are classified, it takes only a few



moments to run over the records and find duplicates, if any. The system is of great value to the police because they can follow a criminal, regardless of the names he uses, as he moves from place to place. It frequently results in the apprehension and conviction of criminals who otherwise have left behind no witnesses or evidence. The system has given a great impetus to the scientific study of crime and criminals.

A room in the police station has been remodeled for identification work and serves that purpose adequately. It contains the ordinary instruments found in police departments for taking the weight, height, photograph, fingerprints, and other measurements. Here the lieutenant takes all the photographs, develops the films, and prints the pictures. The size of film on which the photograph is taken is a 3x5½ producing a cut picture 3x5. The camera used is an Eastman product built especially for police work, using a sliding lens which produces two photographs on the same film — a front and a profile view.

The State law of Iowa requires that all law enforcing agencies forward two copies of finger-prints and one photograph to the State Bureau of Identification at Des Moines, and one copy of each finger-print and photograph to the National Bureau of Identification at Washington, D. C. This law is strictly adhered to by the department at Davenport and within twenty-four hours after taking, the required copies are in the mail. The city also has an exchange with Rock Island County, Illinois.

Davenport does not maintain a regular exchange system with any other city but coöperates with all asking for information. In return, it obtains good service from other cities.

The service given by Des Moines, for example, is excellent. If the individual has a criminal record on file there, Davenport, upon asking for information, will receive a re-

ply within two days. The service from Washington, D. C., is good but noticeably slow during the summer months. This is probably due to shortage of experienced help during the vacation period. From six to eight days are required to get a reply from the capital city.

Cardex cabinets are used for filing records. These small, compact, but efficiently arranged cabinets, 24 inches long, 22 inches high, and 6 inches wide, contain 22 trays with 64 complete records and pictures to each tray. Each record sheet gives a personal description of the individual, crime, sentence, occupation, date arrested, alias, name, arresting officer, finger-print classification, and remarks. Attached to this is an auxiliary sheet showing previous record, if any, the charge, a short history of the case, and its final disposition. Any record which might happen later is typed upon this sheet. A 3x5 photograph completes the record. All these records are kept permanently, and none have been destroyed.

A color scheme is used for locating information with greater speed. On each card is a colored celluloid tab which indicates the kind of crime committed.

The bureau performed the following work for the year ending March 1, 1931:

Persons finger-printed and pictured	276
Identifications during the year	109
Finger-prints and pictures now on file	2571
Trips made to scene of crime by finger-print expert	47
Latent prints photographed	7
Finger-print circulars received and filed	632

With a national clearing house established in the Bureau of Investigation of the United States Department of Justice at Washington, D. C., identification of criminals is becoming easier each year. On July 1, 1929, this Bureau possessed 1,744,483 finger-print records of actual current



value, and 2,624,944 alphabetical record cards.<sup>25</sup> But the efficiency is hampered by lack of coöperation from local law enforcing agencies, each of which should follow up the sending in of finger-prints with the disposition made of the case. In Iowa, officials are required by law to do this, but this rule is not followed in all the States.

*Criminal Investigation.*— One of the most recent developments in police work is scientific investigation. This probably requires more scientifically trained workers and a greater outlay for instruments than any other police service. Three sciences — biology, chemistry, and physics — constitute the backbone of this infant in police technique. Where this work is undertaken we find ways and means of examining finger-prints, blood, hair, handwriting, poisons, dust, counterfeit coins, guns, bullets, stains, all kinds of exact measurements, and the like. Such services are available only to the metropolitan areas at present, owing to their costs. But since crime is increasing and each ten years finds our prison population doubled, it seems only fair to predict that in the future more attention will be given to investigation.

Since only about twenty-five per cent of the arrests are made at the time of the commission of the offense,<sup>26</sup> identification and investigation become important factors in police work.

Davenport, like hundreds of the other smaller cities, has lagged behind in this interesting and effective method of capturing criminals. There is no special investigation department. The work is being done by six plain clothes detectives and the other members of the police force. The

<sup>25</sup> Hoover's *Criminal Identification* in the *Annals of the American Academy of Political and Social Science*, Vol. CXLVI, p. 209.

<sup>26</sup> Haynes's *Criminology*, p. 100.

police department has never asked for aid from State investigators to assist in solving specific crimes, but the State on its own initiative sometimes sends special investigators into the city. Under such conditions they act independently of the local force instead of coöperating with them. State and Federal investigators have often come into Davenport to raid liquor law violators, independent of the local police.

The Bureau of Identification aids the detective investigators in every way possible. All information in the office is placed at their disposal. If a hardened criminal is sought, photographic prints are frequently given each detective. When a patrolman discovers that a store or home has been broken into and entered and he feels there is a chance of obtaining finger-prints or foot-prints, he immediately notifies the lieutenant who goes to the scene of the crime and exerts every possible effort to obtain clues through reproduction powder, photography, and the like. Such action frequently results in gathering evidence which permits the detectives to apprehend the guilty party.

Since criminals often commit the same crime in the same manner, the information obtained by the bureau of identification at the time of a former arrest may produce leads which will result in detection.

*Criticisms of Investigation.*—The selection of capable investigators has always constituted a major problem for police administrators. Thus far no tests have been devised which will, with any degree of certainty, determine the fitness of an individual to perform this task, and appointing officers have little to aid them beyond their personal judgment of men. In the last analysis the real test comes in the handling of cases assigned them. In Davenport, there are no available records to determine what per cent of cases are actually solved by the detectives, and one can only



estimate their capability. Once appointed, they are seldom reduced, regardless of the results obtained. The opinion of detective administrators is that only about 10 per cent of those originally selected prove equal to the demands of such exacting service.<sup>27</sup>

In 1931, one-third of the detective force in Davenport were over seventy-three years of age and two-thirds were eligible for pension. Few authorities on police administration believe that men of this age are competent to do modern detective work. All these detectives have risen from the ranks of patrolman and have had no special training in this kind of work. None of them had gone beyond the grammar school in education. The results of an Otis Group Intelligence Test showed them to be considerably below the patrolmen in mental development. One would expect those engaged in detective work to be more alert on observation than the average person or policeman. When the Barry Observation Test was given, however, the detective group again stood lowest. Out of a possible score of 69 they scored from 34 to 9, the average being 19½.

CECIL F. MARSHALL

<sup>27</sup> *Missouri Crime Survey*, p. 48.

## LETTERS WRITTEN BY JOHN P. IRISH TO GEORGE F. PARKER

The letters published in this number were, with three exceptions, printed from copies presented to the State Historical Society by Mr. George F. Parker in 1926. They were written at irregular intervals and cover a great variety of subjects. Many of the references to men and events which were, of course, perfectly clear to the men concerned, now require explanation, which has, wherever possible, been given in the footnotes. Unless otherwise indicated the letters have been printed exactly as they were sent.

John Powell Irish, the writer of the letters, was a native Iowan, born at Iowa City on January 1, 1843. In 1864, at the age of twenty-one, he became the editor of the *Iowa City Press* and his pungent style of writing soon made it one of the best known Democratic papers in the State.

The young editor soon became interested in practical politics and in 1867, 1869, and 1871 he was elected to the Iowa House of Representatives. In the legislature he sponsored the bill which removed the election of school officials from the general election to a special election for that purpose. He was also interested in the development of the State University and served as a member of the Board of Regents from 1868 to 1870. While in the legislature he favored the building of the new Capitol.

In 1882, Mr. Irish removed to California, where he acquired the *Oakland Times*, later disposing of that to edit *The Alta California* of San Francisco. In 1894, President Grover Cleveland appointed Mr. Irish Naval Officer of Customs at San Francisco, an office he continued to hold under Presidents McKinley, Theodore Roosevelt, and Taft.

By appointment on the Governor's staff, Mr. Irish ac-



quired the rank of "Colonel" which became his usual title. As the letters indicate, Colonel Irish was an opponent of "free silver", a supporter of the Japanese side of the racial dispute in California, and opposed the extension of the suffrage to women. He died on October 6, 1923.

George Frederick Parker, the man to whom these letters were written, was not born in Iowa but came to this State as a boy. He was born at Lafayette, Indiana, on December 30, 1847, his parents moving to Warren County, Iowa, in 1854. After the usual common school education, Parker attended the State University for two years, 1868-1870, and in 1873 he founded the *Indianola Tribune*. Three years later he purchased an interest in the *Iowa State Leader* at Des Moines and edited it during the exciting Hayes-Tilden campaign. Soon afterwards, Mr. Parker went to Europe and when he returned in 1880 he became editorial writer on the *Indianapolis Sentinel*, later working in the same capacity for the *Washington Post*, the *Manchester Union*, and the *Philadelphia Times*. From 1885 to 1887, he was assistant postmaster at Philadelphia and upon leaving there became managing editor of the *New York Press*. In 1888 he became a close associate of Grover Cleveland and had charge of the literary department of the Democratic National Committee in 1888 and 1892. From 1893 to 1898 he was United States Consul at Birmingham, England, and from 1898 to 1904 he was commissioner in the United Kingdom for the World's Fair at St. Louis. This absence abroad seems to explain the gap in the correspondence. From 1905 to 1910, Mr. Parker was secretary of the Equitable Life Assurance Society. His *Recollections of Grover Cleveland* was published in 1909. From 1910 until his death he was chiefly engaged in historical writing, many of his articles appearing in *The Saturday Evening Post*. Mr. Parker died at his home in New York City on May 31, 1928.

November 8th, 1879.

My dear George:

Your very kind letter is at hand. My defeat<sup>1</sup> was in a certain sense a victory since it came through my refusal to go into the market and buy back votes that traitors had bought away from me. I prefer self respect and the esteem of friends to personal victories gained in that way.

Let me congratulate you and all sturdy upright Democrats in principle that the storm of folly before which you refused to bend has gone by and that we are again to have a genuine Democracy. But remember my friends that this [victory?] brings to all of us exalted duties and grave responsibilities. Heretofore, silence, explanation, apology and criticism have occupied us, as we have seen the party pulled from its anchorage by a lot of thoughtless fellows led by a few political pirates. Now there comes to us leadership in its best sense, leadership in ideas, in principles. It comes by reason of the very exhaustion of those who have put the party in a garment of motley. We must take this responsibility and bear it with prudence and modesty, with subtlety and wisdom, and you will see that as we straighten the Republicans will begin to bend.

The New York result adds to the intensity and interest of next year's fight. 1879 has been full of the kind of discipline our party needed, it is our task to see that the cure is permanent and that there is no relapse.

If our common friend Welker<sup>2</sup> comes here I hope we will have a good enough pair to draw you down occasionally.

Very truly,

Jno. P. Irish

<sup>1</sup> John P. Irish had been the Democratic candidate for State Senator in his district at the election held on October 14, 1879. He received 2508 votes, his successful rival received 2581.—*Daily Press* (Iowa City), October 13, 20, 1879.

<sup>2</sup> Possibly this was Welker Given, editor of the *Marshalltown Times*.



Iowa City,  
March 23, 1880.

I take pleasure in commending Mr. George F. Parker late of the Des Moines Leader as a journalist of the rarest ability and one worthy to rank with the small number of American publicists who have given to practical politics a philosophic study.

His pen is capable of the finest service and I hope to see it employed in a field worthy of his genius, his experience and and his manliness.

Jno. P. Irish

Iowa City,  
Sept. 4 1880

Dear George:

I have been awaiting marching orders from Indiana for some time and just now learn that Mr. Hendricks<sup>3</sup> objects to my coming into the State. His objection is that in a speech in Columbus, Nebraska, last March I treated him improperly. Now I don't know what report was made to Mr. Hendricks by his personal agent, Mr. Cooper, who heard the speech, but I do know that it was not possible for me to have said anything there that was disagreeable to Mr. H. as you will see when I tell you that the speech was based upon a strong conviction that the old ticket was to be nominated, and I never had it in my heart to speak ill of Mr. Hendricks under any circumstances. Dr. Miller of Omaha<sup>4</sup> a personal friend of Mr. H. heard the speech, had it taken by his shorthand reporter, praised and published it. I have never seen

<sup>3</sup> This was probably Thomas A. Hendricks of Indiana who had been the candidate for Vice President in 1876. He was not nominated for that office in 1880, but was nominated and elected in 1884.

<sup>4</sup> The Dr. Miller mentioned in this paragraph was doubtless Dr. George L. Miller, said to have been Omaha's first physician, who was then editor of *The Omaha Herald*.

it as published and did not, of course, revise the text but know so well the spirit in which I made it that I know Mr. Hendricks must be the victim of a misrepresentation by Mr. Cooper or of an error made by the stenographer, printer or proof reader.

I do not write this in order to ask a pnyz<sup>5</sup> in Indiana, for "the stump" is at my service in Pa. or N. Y., but to explain myself and remove a false impression. Be good enough to show this to Mr. English,<sup>6</sup> to whom make my regards.

Very truly,

Jno. P. Irish

Oakland, Cal., Jan. 30th, 1885.

My dear Parker:

Yours was forwarded to me here from Washington and of course too late for me to respond to the kindly intended attention of which it notified me.

I am getting ready to return East and will perhaps be in Philadelphia for a day between the 20 February and March 1st, but as Mrs. Irish will be along there can be no high pinks [jinks?]

Make my regards to Col. McClure<sup>7</sup> who is the only man I know that can say anything bad enough to be called a libel of a lottery swindle.

Very truly,

Jno. P. Irish

San Francisco, Cal., Dec. 3d, 1885.

My dear George:

Sickness in my family and daily occupation at long hours

<sup>5</sup> So written in the copy of the letter furnished, but probably pnyx is the word in the original copy. The Pnyx was the public meeting place in Athens.

<sup>6</sup> Probably William H. English who was the Democratic candidate for Vice President in 1880.

<sup>7</sup> This was apparently Colonel A. K. McClure, editor of the *Philadelphia Times*.



have joined to prevent my acknowledgment of your kindly letter of last September. I have not yet completed the commission in relation to the Bret Harte first edition, which it brought to me, but will do so soon.

Accept my sympathies, perhaps, upon your elevation to office.<sup>8</sup> I know the public service has therein gained much but I feel that you have gained nothing. Have said as much in *Alta*, of which special is mailed.

Please give my regards to Col. McClure.

Very truly,

Jno. P. Irish

Oakland, Cal.,

July 26th, 1888.

My dear Parker:

I will send to you at once a ground plan and front elevation of the Chinese question, with such testimony in the newspapers of 1882 as bear upon the feeling rife here then against Hoar, Hawley, Harrison, Allison and the rest of the pro-Chinese Senators.<sup>9</sup>

Don't raise the wage question, for Chinese are paid more here than white labor gets in the East, and it will involve too much explanation. You know, at bottom, this is a race question, purely, only the whites who feel its friction and not its pinch don't carry their analysis far enough to know that it is. In dealing with it in politics we must take it for what it is thought to be—a labor issue.

I will mail to you the material from this stand point from which you can "fill" in the textbook.<sup>10</sup>

<sup>8</sup> Parker had been appointed assistant postmaster at Philadelphia by President Cleveland.

<sup>9</sup> George Frisbie Hoar, of Massachusetts; Joseph R. Hawley, of Connecticut; Benjamin Harrison, of Ohio, elected President in 1888; and William B. Allison, of Iowa, were probably the Senators referred to here.

<sup>10</sup> At this time Parker was working on the compilation of the Democratic campaign textbook.

I am daily touched by the expressed friendship of patriotic Republicans for the President. Thoughtful men in that party constantly tell me that they are unable to find a single act in all Mr. Cleveland's official career that is not in the interest of good government.

I feel very hopeful of California. Unfortunately the machinery of the Democratic party is in the hands of ex-convicts and professional and amateur criminals, else there would be more inducement for conservative, independent and decent people to vote with us. But these infirmities are the common taint of all parties.

Did you read my screed in the March North American Review? It would make a good campaign document. I am very glad that you are on the campaign text book for it will be in good English and that is some comfort.

Make my regards to Col. Lamont<sup>11</sup> to whom I enclose a letter which please to deliver.

Very truly,

Jno. P. Irish.

Oakland, Cal., July 27, 1888.

My dear Parker:

After much search I find the report of the Committee of the San Francisco Board of Supervisors, 1885, on the Chinese and China Town. The whole document would make a splendid campaign paper and I regret that the distribution made at the time of publication exhausted the edition, so that I found it difficult to get this single copy. It is the best and most important statement of the peculiar and grotesque vices and habits of the Chinese that has ever been made here. I enclose also a statement of wages, from the report of the California Labor Commission. As I told you in my

<sup>11</sup> Probably Daniel Scott Lamont, private secretary of President Cleveland from 1885 to 1888 and Secretary of War in Cleveland's second administration.



former letter, many in the East will not recognize this scale as low, though it is low here.

If I knew just what shape and style you need I would reduce all this matter to text ready for you. In default of that knowledge I send it *in extenso*. Read it and digest according to the space you allot.

I enclose also a memorial to Congress adopted by a mass meeting of labor unions here this week, in which the President and Congress are thanked for their efforts to suppress Chinese immigration. The chapters on Chinese Prostitution in the report are true. Those people regard it as a legitimate calling, a rather public occupation and soon as a woman begins it she is looked upon as having taken a step forward in the social ranks.

I don't know whether your campaign book will adhere to dry and dessicated facts, or like Wegg lapse into poetry or like Tristram Shandy into anecdote.<sup>12</sup> If the latter please submit this illustrative story to Col. Lamont. It is true:

A Chinese thief had served two terms in San Quentin penitentiary. Not long after his last enlargement he appeared, shaven and shining, in the Presbyterian Mission Sunday School, taught by Miss Culbertson, on the borders of Chinatown. He was devout and attentive, asserting in tuneful voice and good pigeon English that, "Jesus di foh me," and Miss Culbertson was so delighted with him that she said "I glad you catchum Sunday School now and be good man, Ming Rip." Ming smiled and his yellow face shone with the unction of uprightness as he replied: "Yes, Missy, me no stealum any moh. Me good man now, me keep bawdy house."

What a pity that this reformed Mongolian could not be in Ben. Harrison's Sunday School class in Indianapolis.

<sup>12</sup> See Silas Wegg, character in Dickens's *Our Mutual Friend*, and Tristram Shandy, nominal hero in Sterne's novel, *The Life and Opinions of Tristram Shandy, Gent.*

I hope you will find all the material you want in what I send. If not, wire me and I will get it for you.

We ought to carry California, but so far our State Central Committee has not lifted a hand and the Republicans are on the stump getting men committed by an exporte [ex parte?] and false statement of the tariff issue and I am getting nervous over the prospect. I go out at my own cost and appointment once or twice a week and preach the gospel of reform, and that is about all that is going on.

Make my regards to Col. Lamont.

Very truly,

Jno. P. Irish

San Francisco, April 27th, 1892.

My dear George:

Enclosed find what you may call an interview with me in San Francisco. I hope it will do some good.

*The Expositor*, Fresno, Fresno Co., Cal., *The Mail*, Stockton, San Joaquin Co., Cal., *The Democrat*, Woodland, Yolo Co., Cal. are good County dailies for you to use in this state. There is no Democratic paper in San Francisco.

Remember me to Mr. Cleveland. He is the hope of his country.

Truly,

Jno. P. Irish

San Francisco, Cal. Aug. 23, 1892.

Dear Sir:

Carl Schurz<sup>13</sup> speech on the tariff before the Reform Club of Boston, delivered in 1890, is an admirable campaign document and would be especially useful in German. I find that Germans here are very friendly to Mr. Cleveland and I believe this to be the case throughout the Union.

<sup>13</sup> Carl Schurz had been an émigré after the German Revolution of 1848, had served as an officer in the Civil War, and had been Secretary of the Interior under Rutherford B. Hayes.



The campaign here opens on the 27th and the State Committee requests me to make the opening speech at Sacramento, the State Capital, which I shall do.

Scores of requests come to me from all over the state for speeches. The party managers, with their usual virulent idiocy put on the ticket for electors men who can't make a statement clear enough to order a good dinner, and, as usual, I am expected to go out and make the speeches they can't make.

The county press has been roasting the *Examiner*-Foot-English gang.<sup>14</sup> I send you a sample from the *Stockton Mail*.

Your Review of Reviews article was superb.<sup>15</sup> I have given it three readings and find it flawless. Mr. Cleveland is the most fortunate of all our public men in commanding such a service. Beyond personal considerations, the country is happy in producing such a character for such a chronicler.

I hope to be able to come on in September. Some work has to be done here first, for I will not forget my own State. If all conditions were right in California we would carry it. This state is erratic and unstable politically and this year looks like a wobbling year.

Very truly,  
Jno. P. Irish.

My dear George:

New York, Nov. 8th, 1892.

I leave at 10 a. m. for home per Chicago Limited, tired but

<sup>14</sup> The San Francisco *Examiner* had been owned by Senator George Hearst, father of William Randolph Hearst, who had died on February 21, 1891. His son had taken over the newspaper interests. The Foot to whom reference is made here was probably Lucius Harwood Foote.—See *Dictionary of American Biography*, Vol. VI, pp. 501, 502. The English referred to here seems to have been William D. English, also mentioned in letters dated June 25, 1893, and August 29, 1893.

<sup>15</sup> *The Review of Reviews* for August, 1892, contained Parker's *Grover Cleveland: A Character Sketch*.

hopeful. I made four speeches yesterday,<sup>16</sup> Haddam, Middletown, Milford and Bridgeport, closing at ¼ past 12 this morning, at 3 o'clock was at Harlem river and at 4 asleep in my hotel after the hardest day's work I ever had.

Sorry I couldn't accept your invitation and that I am not to see you before leaving. Make my regards to Mr. Cleveland, who remains the one leader no matter what fate befalls to-day.

Very truly,  
Jno. P. Irish

San Francisco, Nov. 25, 1892.

My dear George:

I enclose to you a copy from the Legislative Journal of my memorial oration in joint convention of the legislature in response to that body's invitation conveyed by joint resolution. Pay me the compliment of wasting some minutes in reading it.

The pushing and crowding here for control of patronage is something frightful. Its peculiarity is that the fellows who are at it were the virulent enemies of Mr. Cleveland. Of course they hope to use the patronage to build up the Hill<sup>17</sup> machine for 1896. As a sample of their methods I enclose you an editorial which appears this morning in the Oakland Times, edited by Frank Moffitt. As you see it was provoked by the editorial in the Stockton *Mail* which I sent you yesterday. It is instigated by Foote and English. Of course no decent man here can afford to pay any attention to or make reply to anything published by Moffitt, but the significance of the whole mess is in the paragraph I have marked. You will see that it distinctly breathes the spirit of

<sup>16</sup> This was part of the Democratic campaign to elect Grover Cleveland.

<sup>17</sup> David B. Hill. For his political connections see *Dictionary of American Biography*, Vol. IX, pp. 28, 29.



murder. Almost identical talk was heard at Fresno against Louis B. McWhirten, from the same gang of men, for weeks prior to his assassination, and it ended in his midnight murder. That they intend to kill me I have no doubt, and I wish you to observe and to remember that my sole provocation is in going my way decorously and decently, standing by my friends and my ideals, and having a vast majority of the decent people in this state steadfastly on my side.

I wired you the other day that Max Popper's<sup>18</sup> telegram should be answered. It was to the President announcing the result in California. Dick Hammond, who flourishes as President of a useless Society of State Clubs, originally organized here by Chauncey Black and Senator Faulkner of West Virginia, as a Hill machine, boasts that he has a telegram from the President thanking him for carrying the State and instructing him to thank the State Committee for whatever it did. Popper is chairman of the State Committee and really made the fine organization and fight that gave us the State. I desire to avoid such feeling as might finally be caused by Hammond's folly, and a line wired or written to Popper would be good.

I hope you dined yesterday with a thankful heart and appetite equal to the plenty on your plate.

Very truly,

Jno. P. Irish

San Francisco, Dec. 17th, 1892

My dear George:

I send to-day some more newspaper comment. Up to this date forty-six papers, including the entire Democratic press of the State except four, have made favorable and friendly comments of this character. I am aware of the indelicacy of

<sup>18</sup> Max Popper of San Francisco.

a candidacy for such a place,<sup>19</sup> and therefore of the harm done by the good intentions of my friends, so I send them to you as the voluntary uninspired utterance of the real organs of the party here in order to prove the truth of my declaration that no man in the party has a larger personal following in the State.

My good brother Tom<sup>20</sup> has just returned to me Marble's<sup>21</sup> original letter (note the date) inviting me into the Hill camp and a copy of my reply. Marble and I had frequently corresponded before but he has not written me since. Perhaps it was an ungracious response to such an invitation, but his position angered me and I thought he should have known me better than to have asked me into such company.

I have been called into council by our friends in Wyoming and the steps taken there have been under my advice. We will get our rights in that state and have the legislature by a dear majority over Republicans and populists.

Here the populists hold the balance of power. We can elect White,<sup>22</sup> because when it comes to a free fight in the joint convention the Southern California Republicans will vote for him. The Southern Pacific Railroad is supporting Foote<sup>23</sup> but so far he has only one vote sure.

The Western field presents very interesting features for future treatment. I wrote Mr. Cleveland describing them

<sup>19</sup> Mr. Irish was suggested for appointment as Secretary of the Interior. See his letter to Grover Cleveland below, p. 439. The appointment went to Hoke Smith of Georgia.

<sup>20</sup> Thomas M. Irish, principal of one of the Dubuque public schools for many years. He is still living (1933).

<sup>21</sup> Probably Manton Marble, New York, who was said to have written the Democratic platform of 1884.

<sup>22</sup> Stephen M. White, Senator from California, 1893-1899. Senators at this time were, of course, chosen by the legislatures.

<sup>23</sup> See note 14.



and hope that the letter reached him. I have got my rush of work out of the way and will shortly renew my editorial exposition of principles in the country press.

I have been addressing you at 139 - 5th Avenue. Perhaps your personal address would be better.

Very truly,

Jno. P. Irish

San Francisco, Jan. 4th, 1893

My dear George:

J. Sterling Morton<sup>24</sup> is one of the oldest Nebraska politicians, who has confined his efforts exclusively to his own state. When I lived in Iowa I used to go over there and help him. In 1880 I was sent for to induce the state convention of Nebraska, held at Columbus, to make him a delegate to Cincinnati, which was accomplished after much trouble, an all night session and a speech by me for Tilden, for the making of which I incurred the bitter hostility of Mr. Hendricks. Later on Mr. Morton became very inimical to Tilden and used language concerning him which alienated Dr. Miller. Now I believe he and Miller are friendly and I suppose the Dr. will urge him for the cabinet. Mr. Morton has had no executive experience, so that I cannot say what are his abilities in that respect. We have always been personal friends and I have often been called to help him, but never had occasion to ask a return.

If a Western man goes into the Cabinet, he should be from this coast. I say this as a matter of judgment entirely, and free from any feeling of immediate and personal interest, since in your last I read my epitaph.

A Nebraska man is an Eastern man. His face is turned eastward always, and his familiarity is with the space that

<sup>24</sup> Julius Sterling Morton. In addition to his interest in State politics, Morton was interested in history and was the author of a three-volume history of Nebraska. He became Secretary of Agriculture under Cleveland.

lies in front of him. He has no eyes in his back. But behind him unobserved lie 8 states, and three that are to be. All of them concerned in Federal politics, many of them gone astray far and of great representation in the Government, all capable of political regeneration. I know the whole 11, their men and motives, and I know that they can be made Democratic and that by that change their local government be reformed and their people benefited. I have done a great deal of work in them all and believe that I know when to touch them. A man on this coast faces Eastward also, but under his eye and in front of him lie these 11 states and states to be. They are not alien to him, but they are behind a Nebraska man's back. But you asked information and instead I sent an argument. Soon I will write about Robert A. Johnson,<sup>25</sup> who was the aggressor in a fight in which he seems to feel worsted because he keeps it up apparently in temper entirely.

When Foote tried to be Senator he found but two votes for him in the legislature and made a grandiloquent retreat.

Truly,

Jno. P. Irish

San Francisco, Cal.,  
January 9th, 1893.

Dear Sir:

In 1889 Mr. Robert Underwood Johnson made a tour in California. He fell in with John Muir, a pseudo naturalist who used to work in a saw mill in the Yosemite Valley when men who had been squatters there were sawing the trees for commercial purposes, and were stopped by the State. He also kept company with a man named Robinson<sup>26</sup> whose lack

<sup>25</sup> Apparently the Robert Underwood Johnson mentioned in the following letter is the man referred to here.

<sup>26</sup> Probably Charles D. Robinson. For some of his work see *The Century Magazine*, Vol. XLIII, pp. 77-97.



of the sense of harmony and color had incapacitated him as a house painter, and who therefore set up as landscape artist and painted pictures of the Yosemite which found no buyers. In company with these and Mr. Wm. Oge, Supt. of the Dewing Printing Company, publishers of "Picturesque California," Mr. Johnson visited the valley. There he consorted with a man named McKenzie,<sup>27</sup> a fellow of education and the master of some style in composition, but morally debased, a drunkard and a man of forbidding morals.

After a sojourn in the Yosemite in this company Mr. Johnson was emitted by the usual route and published in the "Examiner" an interview, ample in length and picturesque in vituperation. The Yosemite Commission has always at its head the Governor of California and consists of eight citizens chosen by him, whose services are uncompensated. Amongst the eight were Frank Pixley, of the "Argonaut", Mr. Eastland and others including myself, and excluding myself all men of wealth and many of them of special experience and trained taste in forestry and landscape engineering.

In his interview Mr. Johnson charged the Governor and these gentlemen with official acts which are felonies under the laws of California. His charges were not merely an impeachment of taste and judgment, which would have been tolerable, but were accusations of crime. He may think that men who get to be Governor out here don't mind a little thing like that, but they do, and so do gentlemen who are giving their unrequited time to a public trust. To this interview I made the enclosed reply on July 15th, 1889. I admit that it was not the soft answer that turneth away wrath, but

<sup>27</sup> For letters on the Yosemite situation signed by George B. Mackenzie and others see *The Century Magazine*, Vol. XXXIX, pp. 475, 476, and Vol. XLIII, pp. 154, 155. The Yosemite Valley was granted to the State of California in 1864 with the provision that it should be a public park. It was made a national park by an act of Congress dated October 1, 1890.

its asperities seemed warranted not only by his attack on my integrity and that of my colleagues, but by his treatment of my state as a cuspidor in which to eject his intellectual phlegm.

Since then the controversy has gone on. The "Century" has acted like a country daily pursuing a delinquent subscriber and determined on revenge in lieu of cash. I can't begin to traverse the false and foolish things it has published, but I forward to you my reports for the last four years; read the senior report for a fair statement of the results of the controversy.

Mr. Gifford Pinchot, a friend of Mr. Johnson and a forester of great repute visited the Valley to get information based on personal examination, to "burn up" the Commission. After a month's sojourn there he called on me to express his gratification at having found the "Century's" charges entirely without foundation. He was enthusiastic over the State's fidelity to its trust, and promised on his return East to make public his approval. Instead of this he wrote me that he had learned that the "Century" was simply making the attacks in order to compel California to employ an expert forester as landscape engineer, and as he recognized the propriety of this he did not wish to hamper the means used to secure it!

To return to Johnson's interview, — after my reply to it, he sent a note to all the papers here denying that he had been interviewed, whereupon the "Examiner" published the statement of the Mayor of San Francisco and several other men well-known who were present when he gave the interview, and who stated that it was published correctly except that some of its grosser charges of crime and personal asperities were toned down in the paper.

This of course left Mr. Johnson's veracity standing in a light dim but not religious.



His friends here are my friends and intimates, — Joaquin Miller, John Vance Cheney and Charles Howard Shinn, and I am willing to let them and you arbitrate between us: Will you ever forgive my prolixity!

I read you in the "Forum." Enclosed find the bill upon which the People's party goes to bat in the next Congress. Show it to Mr. Cleveland. If you don't want to write a review or magazine article on it send it back and I will. It is paternal pottering and idiotic doddering gone to seed.

I enclose a personal note on other matters.

Very truly,

Jno. P. Irish

San Francisco, Jan. 20th, 1893.

Dear Sir:

The election of my friend White is accomplished, against the influence of the *Examiner*, Foote and Englishes. It is the beginning of a new era in Democratic politics in this State. Mr. Cleveland will find White a man of brains, not influenced by prejudice and capable of reasoning. He has not made concessions to the political empirics and will be found in line with the great purposes of the coming Administration.

When the tariff of 1846 was framed its inspiration was in the report of Robert J. Walker, Secy of the Treasury and it was properly known in history as the Walker Tariff. Let us identify the coming tariff in history with the Administration, by omitting to name it for the man who happens to (be) chairman of the Ways and Means. If it be thoroughly reflective of his views I would like it to be called "The Cleveland Tariff." Anyway its radix in his Administration can be preserved by naming it for his Secretary of Treasury.<sup>28</sup> A little persistence in this line by those who write and talk would settle the question.

<sup>28</sup> John G. Carlisle, Secretary of the Treasury.

I hope to see you in a few weeks, when the earnest work begins.

Very truly,

Jno. P. Irish

San Francisco, Cal.,

Jan. 25th, 1893.

Dear Sir:

Friends in Salem, Boise City and Cheyenne have written me recently that Democrats in the legislatures of Oregon, Idaho and Wyoming on their own motion, have addressed you in my behalf for the position of Secretary of the Interior in your coming Cabinet. To-day I am informed that friends in the California legislature, of both parties, propose, with my assent, to indulge in some more formal action in the same direction. I have declined assent to this and, as the action taken in other states may reach you, it seems proper to say that I have felt that candidacy, in the current meaning thereof, for a place in your official family is not becoming, and that the discussion of my name in that connection by the press here and elsewhere and the other acts, no doubt suggested thereby, are volunteered entirely, and so far as they seem to make me a candidate are not in line with my own sense of propriety; though as evidences of confidence, good feeling and friendship they impress me as they should any man who loves appreciation of his efforts for a good cause.

Fifty and more years ago when the western prairies were untracked, the way across them from one post to another was sometimes marked by a deep furrow, plowed under contract by some stout pioneer. Half a century later I have found these furrows still plainly marked, and there has risen before me again the team, the plow and the plowman drawing the guiding mark through a wilderness.



After we are all gone men will pause by the furrow you are to make in the history of our country and will say, "here the plowman passed and time toils in vain to conceal his furrow."

My friend you are selecting your team, but you and no other must hold the plow. If I should go into history as one who helped to pull it I would be glad, but I shall have always the pleasure of believing in the plowman and knowing that the furrow is to endure.

Very truly,  
Jno. P. Irish

Grover Cleveland.

San Francisco, Jan. 25th, 1893.

Dear Sir:

I enclose a letter, which I beg you to read and if you think it proper, seal and deliver, otherwise destroy it. I wrote it because I fear that I am becoming too much identified with efforts made by others that make me appear as a candidate.

Since White's election the rage against him and me on the part of the small gang here is intense. They will spend much money in bribery, subornation and conspiracy against us, and if you hear any morning that I am killed or that attempts to scandalize White or me are sprung, you will know the reason.

Very truly,  
Jno. P. Irish.

Iowa City, Iowa

March 27, 1893.

My dear George:

We are here in the mud and misery of a March break up in Iowa, of which you are well advised by experience.

I had talked early with Col. Lamont, who told me that Tripp<sup>29</sup> was staked out for Land Commissioner, a place that was undesirable any way. I told him that if a first class place was intended for me, the Collectorship was the one. I was led to believe that he communicated with the President for word came back through Don Dickinson that if White would stand in the place was mine. I sent White at once to the President who met his mention of the Collectorship with the information that he had a candidate himself, Mr. Jno. H. Wise, and asked White to have a delegation endorse him. Of course, that ended it. White came to me and I advised that the delegation endorse Wise which was done. I then sent a note to the President asking for the Naval office in San Francisco,<sup>30</sup> a place that carries neither power nor responsibility, and is entirely secondary. I asked for it simply because I saw that the Examiner was announcing that I could get nothing in California.

Mr. Wise is my friend, but he is an old man, of very infirm habits and in no way a factor in California politics. But he is a Southerner, a brother of Geo. Wise, M. C. from Virginia, and there is no doubt that his appointment will get Virginia and some other Southern support in Congress and I have no wounds in the matter for I know such support is very needful in the next Congress.

I have every reason to believe that the President will respond to me, but I was unconquerably sensitive about approaching him for an appointment. To do what I did was revolting and cost my self-respect many a pang.

For years I have supported him, propagated his ideas

<sup>29</sup> This proposed appointment, if it refers to the United States Commissioner, was apparently not made, for Silas W. Lamoreux became Commissioner of the General Land Office.

<sup>30</sup> Mr. Irish received the appointment as Naval Officer of Customs at San Francisco, California, an office which he held for the next sixteen years, in spite of Republican victories in the elections.



and promoted his leadership, using my own judgment and apparently always in line with his approbation. I confess that I would have liked to have been placed in a position of national prominence by him. Maybe it is vanity, but frankly I felt that way. He chose however to lift from obscurity Hoke Smith, Morton and Olney,<sup>31</sup> and as to the men he did not err in judgment. After that I would have liked a first class place at home, but the seat had been reserved for another, so I salute Fate.

Now let me tell you what must be done. The next Congress is rotten on finance. It will go one way and the President another, and something must break. The thing that must be done is to begin at once whipping Congress into line by creating a public opinion on the silver question that will back the President and whip Congress into line.

I sent you a sketch of a speech I made in Dubuque<sup>32</sup> last week. It has set the Iowa press in a flutter. It has set the Herald right as you see by an enclosed editorial. I print from here an interview in the same line which I will send you. I think the best work I can do this summer is to keep this up in the West. The California press can be mostly brought into line and I can help in Iowa, Wyoming, Oregon, etc. But these bricks which I make are made without straw.

I go home thankfully and cheerfully, and from there will write you. Will you show the speech, editorial, etc. to Mr. Cleveland?

Very truly,  
Jno. P. Irish

<sup>31</sup> Hoke Smith, Secretary of the Interior; Julius Sterling Morton, Secretary of Agriculture; and Richard Olney, Attorney General. Apparently Mr. Irish had been suggested for one of these positions.

<sup>32</sup> A brief account of this speech is given in the *Iowa State Press* (Iowa City), March 29, 1893.

Oakland, Cal.

June 25th, 1893.

Hon. Geo. F. Parker,

U. S. Consul,

Dear Sir:

Yours of the 6th inst. with enclosure from Messrs. Davis & Hile is at hand.<sup>33</sup> These young gentlemen indicate a wish to settle in California.

There are very fine English settlements in Placer County (part hill country) and in Fresno and Kern Counties, in the San Joaquin Valley. Many of the immigrants are on profit producing plantations and are employers of labor. With them these young gentlemen can undoubtedly get self supporting employment during novitiate in the state. Both wages and cost of living differ so in different sections of the state that it is difficult to say more than that they may expect self supporting employment, while they become informed as to our peculiar industry and methods in agriculture and horticulture.

The best results from tillage here have so far been reached on raisin plantations and orchards of the apricot, peach and French prune. By taking time to study the state, ranches may be had with orchards already planted, and with supplies of spring water which enable a bit of dairying, strawberry and small fruit culture, the growing of forage and so on, in other words plans fitted for variorum farming.

I would not advise resorting to the Los Angeles district. It is the most arid part of the state and the costliest to irrigate, with less adaptation to a variety of products. The fact is not generally known that the earliest deciduous and citrus fruits are marketed from plantations 100 miles north

<sup>33</sup> This letter was apparently written after Mr. Parker had been appointed consul at Birmingham, England, and the young men mentioned were from that country.



of San Francisco and over 500 miles north of Los Angeles. In fact the latter region is supplied by us with these early fruits just as we supply the East.

I will forward herewith some information supplied by our State Board of Trade. If Messrs. D. & H. wish to come and so inform me I will endeavor to secure places for them to work, in advance, and will take pleasure in giving them assistance and information. Please assure these gentlemen that I have no interest except the settlement of my state with good people. I have no land to sell, but on the other hand am a constant land buyer. When they come they must be prepared to find California a contrast to all the physical features with which they are familiar in England.

Very truly,

Jno. P. Irish

My dear Parker:

I enclose letter of information and advice for the young men who want to come here. I will forward other matter for their use.

I note what you say of White. He is a native of California. This has always been the field of selfish, sinister and covert politics. On such a field he has grown up, and has absorbed its characteristics, so fixed in the habit of doing nothing except as part of a programme or in pursuance of a bargain, that quite a majority of our people think my open and frank and necessarily aggressive support of Mr. Cleveland was undertaken only after I had him committed in a contract to reciprocate with control of power and patronage.

So I have not expected much of White, and am not disappointed. He is a man of brains and capacity and I hope will make a good figure in the Senate where the State has long needed a man of active intellect.

He and the Representatives have recently met and apportioned out the remaining patronage by endorsing candidates. Five of the men so endorsed were active leaders of the Hill machine in 1891-2, — they are Bill English, for Surveyor of the Port; Capt. Ed. Hackett, for Receiver of Public Money's; Pat. F. Walsh, for Pension Agent; Sam Bramhart, for Chief Appraiser (he is a Jew sand lotter)<sup>34</sup> and John P. Dunn, sand lotter, who voted for Blaine in 1884 because he wanted a war with Great Britain.

If the President appoints these people it will be putting all the plans of political power in the hands of his enemies to be used in punishing his friends. Shall I tell him so? When Congress meets I will be in Washington to help what I may to get sound action on finance. Did you see my silver debate with Stewart? When the notes are written out I will send it to you.

Very truly,

Jno. P. Irish

Oakland, Cal.

April 6, 93.

My dear George:

Since arrival last Monday I have been held a close prisoner by illness, and hear nothing from no one. Last I saw you were going to Birmingham—a very interesting old city and I suppose ranking with Liverpool in trade with this country and therefore a snug consulship.

The Hill movement for 96 seems to be on. I have just received a pamphlet of his speeches, most of which seem to have been written by Morton [Manton?] Marble. Well, I am not in the Hill movement for 96 or any time, and I don't want to see it get impulse here by giving places to Hill men.

<sup>34</sup> The term "sand lotter" was used in California to designate one who supported the Constitution adopted in 1879, which was considered radical by its opponents.



When you go abroad remember me with a letter occasionally. Pardon this scratch for I am ill, on my back and out of form.

Very truly,  
Jno. P. Irish

San Francisco, California

Aug. 29, 1893.

My dear George:

I have been in Washington a month doing what I could to aid the splendid result of yesterday in the House. The Iowa Democrats<sup>35</sup> were about to go wrong and I went to Des Moines to right them. I sent you an imperfect report of my speech, and wish you to note my construction of the platform.

Did you get my Ogden speech? If so please send it to Mr. Bayard with my compliments.

If the Senate act promptly and rightly now and we then speedily crystallize our tariff policy, the country will rise rapidly from this depression and its readjustment will be felt simply as a part of the commercial convalescence.

Of my own matters I know nothing. The street and Custom House here are filled with men whom I had to overcome to get a Cleveland delegation and neither I nor any one who stood by the President, can get even a laborer employed in either. One [Our?] congressional delegation has endorsed W. D. English for Surveyor of the Port. His appointment, after his six years of public blackguard abuse of Mr. Cleveland would be grossly improper.

I hope that you are enjoying your residence abroad. Write me.

Very truly,  
Jno. P. Irish

<sup>35</sup> For a brief resumé of Irish's speech at the Iowa Democratic State Convention see *The Des Moines Leader*, August 24, 1893.

San Francisco,  
Jan. 18th, 1894.

My dear Parker :

Your letters bring to me a picture of peace. In your far exile from current scenes at home you miss much of that torment with which one looks directly upon weakness, selfishness and treachery in places where noble sacrifice, manliness and fidelity should lift a heroic front.

Last month I had an hour with the President at his invitation, devoted entirely to public matters. The lack of leadership in Congress is the feature of the situation which spreads misgivings through the party ranks and distresses the Chief. When Jackson was asked his opinion of Congress at the end of his 8 years battle with that body for the independent treasury and a specie basis, he said "Congress is a curious body." The present one is something more than that. Laggard when it should be prompt, hasty when it should be deliberate and thoroughly diseased with disloyalty to every idea represented by Mr. Cleveland and endorsed when the people elected him. The metropolitan press has deserted the flag unanimously, as it did in 1885, and the President is left without means of reaching the people vicariously and when he goes to them directly in his messages, myriad pens, inspired by malice, substitute evil construction for the actual text and so spread evil and discontent.

What has been needed is a leader in Congress to make such a statement of the financial, tariff or Hawaiian question as Schurz made of the military organization of the Louisiana legislation or Sumner of Grant's San Domingo scheme. Instead of this we have had the rank straddling of Voorhees and the petty spatting over Hawaii.<sup>36</sup> In this

<sup>36</sup> Senator Daniel W. Voorhees, of Indiana. The Hawaiian Islands were finally annexed in 1898.



state the country press which I inspired has stood nobly steadfast, but the Federal appointments have mostly gone to the enemies of the Administration, and some of them its vile defamers. The situation grew so tense that the letter, of which I enclose a copy, was signed by the country press and a large number of loyal and well-known Democrats and sent to the President. My appointment followed and I fear was in a sense forced by this statement.

But I am ashamed to suggest personal considerations in the midst of this pitiful situation, in this pitiless storm of adverse circumstances which is pelting the country and the party.

Now let me show you the other side. I am an optimist. Supply of the physical needs of our people goes on, food and shelter must be had. No matter whether the supply is a charity, appetite returns as soon after a meal given as one bought, and the sleeve of one's coat or the seat of his trousers will wear out whether the garment was given or bought. But while consumption has gone on production has rested for nearly a year. Business gets on its feet again any way, but the first condition of prosperity is stability of conditions. If Congress promptly pass the tariff bill, production will start and by 1896 our industries will be in full swing and the voice of business and hand of labor will be against any party that proposes another change.

We have suffered from this aversion to a change. Blaine<sup>37</sup> used it in his Philadelphia speech in 1876 when he said a change in the politics of the Executive had become as portentous to the public welfare as a change of dynasties in a monarchy. Conkling<sup>38</sup> used it with crushing effect in 1880. Now in 1896 it will be on our side, and if the South will negative Solomon and prove that braying in a mortar

<sup>37</sup> James G. Blaine, of Maine.

<sup>38</sup> Roscoe Conkling, of New York.

has benefited her a bit,<sup>39</sup> so that the sectional cry cannot be started again, we will win.

This view I elaborated to the President, evidently to his gratification but he said with bitterness "If Congress would do its duty."

However I bugle the forces and propagate this view, and above the mists and clouds can see and above the clamor can hear the clearer welkin and the shouts of victory. As we pass on in present humiliation the enemy can *vae victis* but I can hear the rumble of our conquering chariots.

When the fight comes I will resign if I have to and go into it.

I am getting some Yosemite pictures for you. If those young Englishmen have the California fever yet, show them the enclosed circular. This is a splendid opportunity to get land and water in the very best part of the State. If they or any others want further information I will send it.

My wife and children send greetings to your family and are quite impressed with the idea of going abroad. Lamont spoke highly of you when I met him last month and if you want an exchange of places I should say it would be easy.

Very Truly,

Jno. P. Irish

San Francisco,

Jan. 19th, 1894.

My dear George:

I mail to you to-day one large panoramic view of the Yosemite Valley and smaller views of El Capitan and Glacier Point. The elevations given are above the floor of the Valley and 4000 feet should be added for the height above sea level.

<sup>39</sup> Proverbs 27: 22.



Accept them from me. The Commission has no pictures. They may serve to adorn your office.

Very truly,  
Jno. P. Irish.

Port of San Francisco,<sup>40</sup>

Feb. 1st, 1897.

My Dear George.

The last eight months have been so filled with far and near demands that I have passed you by repeatedly to a more convenient season.

You have had all the campaign news. The emergency presented by Bryan's nomination was great. It combined all the vagrant policies and people, put them in one pot and under one lid, where we succeeded in doing them to a turn. Had it not been for the patriotic action of the real Democracy, he would have been elected. As late as mid-October the poll showed a majority for him in Iowa, Ill. Ind. and Mich. The puerile position of the Republicans on silver made them defenseless. When Bryan said they confessed free coinage was a good thing, but not to be enjoyed without the consent of Europe, they had no answer and he had no opposition until we entered the field on the Indianapolis platform. We made the fight and it was a ceaseless attack.

I intended last May to have a quiet summer and keep out of the campaign entirely. But Bryan challenged me to meet him on July 4th in Nebraska, and debate the silver question. I met him and that started the fight which I kept up in the seven pivotal states and closed in his town of Lincoln, on the night of Nov. 2nd.

I have just been East. The feeling of the most thoughtful Republicans is that their party will go to pieces before

<sup>40</sup> This letter is printed from the original letter included in the Parker papers deposited in the Historical, Memorial and Art Department at Des Moines.

1900, and they must rally, with the constitutional elements of the country, on the Indianapolis platform.

It is apparent now to all but the infuriates that the false leaders of the Democracy at Chicago, lost to the party a great opportunity.

I enclose a letter from the Atty. to whom I referred the Blythe papers. He is of opinion that the finality reached cannot be disturbed.

I see that consular and diplomatic appointments are not to be taken up very soon, and of course you will have no plans formed now.

I am thinking of a project for a sort of Pacific Review, that will absorb Bret Harte's old Overland Monthly, and seek for its field this West coast, using the city and country press for material and dealing in the first instance with wider questions on the plan of the Review of Reviews. I confess that daily journalism wallows where I have no stomach to follow.

The nasty ambitions of Hearst and Pulitzer have worked a decadence from which there is no recovery except in the financial failure of their papers as business enterprises. This seems not far off in Hearst's case.

Present my regards to your family.

Very truly,

Jno. P. Irish

Oakdale, Cal.,<sup>41</sup>

Feb. 14th, 1900.

My Dear George.

On my return recently from a trip to Washington I found yours of January 1st. Yes, it was my birthday, a fact im-

<sup>41</sup> This letter is printed from the original letter included in the Parker papers deposited in the Historical, Memorial and Art Department at Des Moines. Clipped to this letter was a printed copy of a speech delivered by John P. Irish at the National Democratic Convention held at Indianapolis, Indiana, on September 2, 1896.



pressed upon me by my wife's continuance of a household custom founded by my mother, who always made it the occasion of a family gathering. In this far land all kin and collateral relatives within reach gathered to remind me that I had entered my 58th year, though white hair and an occasional twinge of rheumatism had not waited upon the sociable proclamation, that age is upon me.

I have often thought of you, and having no notice of your address was content to know that wherever you were you were doing some good thing.

The political situation in this country is as deplorable as it could be made, if the confusion were designed by its authors. Bryan and his gang of desperadoes, who usurped the control of the Democratic organization in 1896, cannot be displaced except by another crushing defeat, which they will get.

The country since the beginning of the Spanish war has needed a strong opposition party, with a leadership of courage and character that would inspire popular confidence. But no such opposition has been in existence. The Bryanites meet in conventicle and in the list of names is none that you and I recognize. Populists, kids, cranks and political Dugald Dalgettys<sup>42</sup> gather to fine comb public questions in search of some expedient issue, with no more idea of principle than an Iowa hog has of the Roubiayat [Rubáiyát] of Omar Khayyam. There is a widespread and earnest sentiment against imperialism and the afflicting policies that have their radix in the Spanish war. The declaration of Moorfield Storey<sup>43</sup> in 1896 that our institutions would not survive victory in a foreign war, seems to have been prophesy. The Germans especially are against expansion in the tropics, but they and sturdy Republicans who

<sup>42</sup> A soldier of fortune in Scott's *Legend of Montrose*.

<sup>43</sup> Moorfield Storey was president of the American Bar Association in 1896.

follow Hoar, Wellington, Hale and Mason<sup>44</sup> say that they will not trust Mr. Bryan on these issues, because he went to Washington and urged his followers to nag on the Spanish war as "it would be good politics" and when Republicans had the Paris treaty beaten, he went to his senators and persuaded McLaurin, McEnery, Bacon<sup>45</sup> and others to vote for it and ratify it. Without this the treaty would have been amended and the Philippines would not have been bought. There is coming a great reaction against imperialism, but it will not be manifested this year. Our people cannot live in the tropics. Our institutions are racial and cannot be planted where our race cannot perpetuate itself from generation to generation. To all the overmastering physical facts of the new situation the country will awaken and in 1904 there may result a political revolution, but even then the Democracy must be in different leadership to win.

Tilden told me twenty-three years ago that the Democratic party would rally again and elect one man to the Presidency and then pass away, because the Southern politicians had not the sense either to follow or to lead. In 1896 they took leadership, and the carefully cultivated confidence of the North in the Democratic party, due to Mr. Cleveland's matchless tactics, has been sacrificed, and there is not left a single Democratic Senator, Governor nor legislature in a Northern state! Yet Bryan, Tillman and the unspeakable Morgan<sup>46</sup> plume themselves on their leadership!

As far as I am concerned, this year I will do what I can

<sup>44</sup> Probably the following Senators: George Frisbie Hoar, of Massachusetts; George L. Wellington, of Maryland; Eugene Hale, of Maine; and William E. Mason, of Illinois.

<sup>45</sup> Probably John L. McLaurin, of South Carolina; Samuel D. McEnery, of Louisiana; and Augustus C. Bacon, of Georgia.

<sup>46</sup> The men mentioned here, in addition to William Jennings Bryan, are perhaps Benjamin R. Tillman, of South Carolina, and, possibly, John T. Morgan, of Louisiana.



to add to the defeat of Bryan. As far as principle goes the Republican party has adopted Mr. Cleveland's financial ideas and has more than half swallowed his tariff views, so that it represents more of my original Democracy than any other existing party. Wherein I differ from it, on expansion, I can wait, for I intend to be here in 1904.

This letter is too long on politics to leave room for other things. Write me again. Present us all to Mrs. Parker and your family.

Very truly,  
Jno. P. Irish

Port of San Francisco  
Jan. 30th, 1903.

My dear George:

I was East when your letter and the Vallandigham<sup>47</sup> enclosure came. Last year I was so constantly away attending to a large international law suit in which I am the attorney of Americans despoiled in Central America, that my correspondence was wretchedly neglected. I brought my case to arbitration and won it and am now watching the enforcement of the award. So, as I grow old I keep busy, and I think that is the proper way to keep up the perspective and make the horizon recede as we approach it, just as it does in our youth.

I agree with you that the history of 1892 has not been written. The situation required that Mr. Cleveland reach the people over the heads of the politicians. The people were with him, the machine was against him. I adopted the policy here of having the districts instruct their delegates for him and order them to enforce the unit rule. This scattered the Foote-English force on everything, except the

<sup>47</sup> The reference is probably to Clement L. Vallandigham, Representative from Ohio, who was banished in 1863.

choice of delegates at large, and when the delegation was completed, Mr. Cleveland's enemies found themselves bound and gagged by the majority of the delegation. It was the same everywhere. The people found means of impressing themselves upon the Convention, in spite of the politicians, and he won against the most formidable combination ever known in American politics.

Of course Mr. Whitney<sup>48</sup> is credited with the action of the Convention, but he would have been powerless had not the people supplied him with the situation which needed thereafter only direction.

The old party is fatally wounded I fear. It has gone vagabonding until first class men shrink from undertaking its leadership. It vainly sought to win in 1896 a battle which it began by shooting down every one of its successful commanders, and deliberately spilling its brains. It has learned nothing since. Gov. Hill lost its chance in New York, when Coler<sup>49</sup> would have won but for the socialistic coal plank, which he put in as a piece of smart politics. We will not live to see the party regenerated or winning a victory that will do any good. I look back, as do thousands of others, upon a life time spent in accumulating a heritage of principles for the party, at last to see it traded for Populist pottage by Bryan and his gang. The only pleasure left me in politics is in fighting them.

Will you be in the United States next year? If so I hope to see you. Present me to your family.

Very truly,

Jno. P. Irish

<sup>48</sup> William C. Whitney of New York who was Secretary of the Navy in Cleveland's first administration and manager of Cleveland's campaign for reelection in 1892.

<sup>49</sup> Bird S. Coler was the Democratic candidate for Governor of New York in 1902.



Port of San Francisco,<sup>50</sup>

Dec. 1st, 1903.

My dear George.

I am glad to hear from you and that you will return to your own country. I can see no cheering signs of Democratic revival. The party has lost the confidence of the country, and many evils seem bearable rather than trust it again with power. When it seemed sure that Tilden was to be President, he said to a few of us that the future was full of difficulty, for we had no men in the party accustomed to administration and trained in executive duty. On the other hand, he said we had plenty of first class parliamentary material, trained in Congress, and reliable, that could be depended upon to do well in actuating Democratic purposes by legislation. But when we got power it turned out just the other way. Mr. Cleveland was able to fill his two Cabinets with first class men, who in administration were the peers of any here or in Europe, while Congress had but few qualified to lead, and these were soon deserted by the rabble sent there to represent the party. There is no assurance, absolutely none, that if we should win on the tariff our promises would be kept, for they were not when we had the chance to redeem them. But, leaving that out, if the party had simply held its historic ground on the money issue and followed Mr. Cleveland, we would have won in 1896 and would have remained in power. The victim of hysteria may be pitied, but is not preferred as a trained nurse. The party exists now only because an opposition always exists in a republic, but it is without light and without hope in the world. It looks as if the unspeakable Hearst will lead it to a fusion with the labor unions and be nominated next year, when the entry of the devil into the swine and the loss of pork by drowning will be repeated.

<sup>50</sup> This letter also was printed from the original in the Historical, Memorial and Art Department at Des Moines.

Mr. Cleveland stands higher than ever. His fame is secure and his countrymen hail him as they greet no other private citizen. I enclose an article<sup>51</sup> on him which I wrote recently. It may violate good taste in its reminiscent feature, but I could not otherwise illustrate my idea of the signs of character.

When you come across let me know. Present me to your family, whom I hope to meet.

Very truly,

Jno. P. Irish

Port of San Francisco

Oct. 9, 1905.

My dear George:

I have had in mind a letter to you for a long time. Since I heard from you last, you have become connected with a matter that is in some respects greater than an affair of government. To reinstate the Equitable<sup>52</sup> and the great life companies in popular favor and confidence is a work of genuine reform and of great difficulty. It is however such a work as is congenial to the great qualities of Mr. Cleveland, and in Mr. Morton<sup>53</sup> he has the ablest of coadjutors. It is amongst the pleasures and gratifications of my old age that Mr. Cleveland has sturdily survived to know that he has the affectionate and cordial endorsement of his countrymen, whose view of his career was dimmed for a time by the frenzied treachery of Bryan and his followers.

<sup>51</sup> Attached to this letter was an undated clipping from *Town Talk*, published in San Francisco.

<sup>52</sup> Parker returned from Europe in 1904 to become Secretary of the Equitable Life Assurance Society, a position he held until 1910. Grover Cleveland was one of the three trustees in charge of the reorganization of this company which had been investigated by Charles E. Hughes. Morgan J. O'Brien and George Westinghouse were the other two.

<sup>53</sup> Probably Paul Morton, President of the Equitable.



If we had had a Cleveland in the House and one in the Senate, during his last term, a different history would have been written. But the spirit of demagoguery fell upon Congress like the confusion of tongues upon the builders of Babel, and we will not see again a Democratic party as you and I knew it. Lamartine,<sup>54</sup> describing the banishment of Rouget de l'Isle, after he wrote the Marseillaise, says: "France has gone mad. In her delirium she knew not the sound of her own voice." So, the American Democracy went mad and the sound of its own voice was as that of a stranger. The opportunity was lost in 1896 and will not come again. The Socialistic control of the party, fostered by creatures like Bryan and the unspeakable Hearst,<sup>55</sup> will continue, and if it win a National election it will mean the gradual abolition of representative government, and finally the accomplishment of what is meant by the cry that "everything belongs to everybody."

I by no means underestimate the malign influence, towards such an end, of the financial transgressions and business dishonor like that rebuked so fittingly by Mr. Cleveland in accepting his hard function in the affairs of the Equitable. Those things are all water on the socialist wheel. I am not pessimistic, but resigned. I can take but little active part in the affairs of the future and must rest content in the reflection that my part in the past, covering nearly fifty years of active life, was intended for the best for my country.

The death of Mr. Lamont was a great shock to me. I had been so accustomed to look upon him as a young man, destined to long survive the generation to which I belong, that his sudden death made a sad impression.

Will you ever come this way? I would be glad to enter-

<sup>54</sup> Alphonse Marie Louis de Lamartine, French poet.

<sup>55</sup> William Randolph Hearst, son of Senator George Hearst.

tain you. I am East several times a year and when in New York again will find you.

If you have opportunity present my respect and appreciation to Mr. Cleveland.

Very truly,  
Jno. P. Irish

Port of San Francisco  
Jan. 15, 1906.

Geo. F. Parker, Esqr.,  
Equitable Life Insurance Co.,  
New York City.

My dear George:

Can you tell me whether Surgeon General O'Reiley of the U. S. Army is the doctor so frequently mentioned as the friend of Mr. Cleveland? I will be much obliged for any information you can give me about the Surgeon General and the way of reaching him.

Very truly,  
Jno. P. Irish.

Port of San Francisco  
Oct. 16, 1906.

My dear Parker:

Because of the references in my letter to the attitude of Southern politicians towards Mr. Cleveland and the prophesy of Mr. Tilden,<sup>56</sup> I think its public enlargement would not be politically prudent. There are evidences abroad that the dish of radicalism, which the South assisted in cooking in 1896, has turned to crow on the Southern palate, and that section is turning towards the conservative element that may be of the highest value in the next Presidential campaign. My advices from several sources in the State of

<sup>56</sup> Samuel J. Tilden, Democratic candidate for the presidency in 1876.



New York incline me to the opinion that Hearst will be beaten. I have this morning a letter from Mr. Bainbridge of Brooklyn, a Democrat and formerly county chairman, who asks me for information about Hearst, and declares himself determined to do everything possible to defeat him. I am very glad if the private circulation of my letter to you has caused people to resist the pretensions of that vicious demagog. If I were footloose, I would go to New York and take part in the campaign against him.

Present me to all my friends.

Very truly,  
Jno. P. Irish.

Port of San Francisco  
Nov. 10, 1906.

My dear George:

The defeat of Hearst, as it appears now, alone on his ticket is gratifying and admonitory. It may mark a turn in the tide of radicalism and the reappearance of such a party of opposition as the interests of the country require. But such result is hopeless as long as Hearst and Bryan remain foremost figures in the Democracy. I think if there is ever to be a palingenesis of the party it must be on and around the Gold Democratic platform of 1896, and the movement must be led by some of the great comeouters who guided that convention. In California the Democratic organization this year held a convention, adopted Hearst's socialistic and radical platform and then denounced him and read him out of the party. The candidate of course was beaten, since the inconsistency of his position was apparent. He took his principles from Hearst and in every speech denounced their creator.

The election of Hughes<sup>57</sup> was obviously secured by the votes of Democrats who prefer decency to party.

<sup>57</sup> Charles Evans Hughes was elected Governor of New York in 1906.

I was amused during the campaign by the numerous magazine articles on Hearst, the "Man of Mystery" written by several sorts and conditions of people. I am inclined to write the real story of the beginnings of his career in this State, which differs widely from these various narratives. He is a very common person, at base a black-guard.

In 1903 I was asked to write an appreciation of Mr. Cleveland. Recently I found a copy of it, which is enclosed. It is not long and you may like to read it.

If I am in Washington this winter, I hope to find time to run over to New York and meet you.

Very truly,

Jno. P. Irish.

Port of San Francisco, Cal.,

Jan. 24, 1907.

My dear George:

I have received the invitation from Gen. Dodge<sup>58</sup> to attend the annual dinner of the Iowa Society of New York on the 15th of February and was compelled to decline, because on that day I have to deliver the Mid-winter Commencement address to the University of Nebraska at Lincoln. From there I may go to Washington and only lack of time will bar me running over to New York, where I hope to see you and other friends.

Out here we have no politics just now except the hoodlum howl of ninety-five clean, decent and studious Japanese pupils in the public schools. The attack on them is led by a lot of aliens who have no other sympathy for the United States than that which the louse has for the calf on which it feeds. Of course all the politicians are out-jumping each other to see which can attract the most attention

<sup>58</sup> Probably Grenville M. Dodge, formerly of Council Bluffs.



as an endorser of every lie that is put in circulation by these alien blatherskites, and the papers pursue the same course, so that there is but little chance for the truth to be made known to the country. I have written an article on the subject for publication in the New York Independent, which you may see.

Present me to Mr. Morton, Mr. Cleveland and my other friends with whom you are in touch.

Very truly,  
Jno. P. Irish

Port of San Francisco  
Mar. 7, 1907.

George F. Parker, Esqr.,  
Sec'y. Equitable Life Trustees,  
New York.

My dear George:

I made a pilgrimage East last month, stopping at Lincoln and making a brief sojourn in Iowa City, where I met again my two surviving brothers and my sister,<sup>59</sup> and we were at table together for the first time in many years. I then went to Washington city and remained three days in consultation with my law partner, Judge Penfield, over business matters. I did not find time to even call at the White House or the Treasury Department, nor did I have time to go over to New York. The weather was beastly and made me glad to get back to California.

I inclose an article on the Japanese school question and the subject of Asiatic immigration generally. It is intended to correct a false impression produced by the misrepresentations of the alien born leaders of the labor unions here. If this State is denied Asiatic labor, a great misfortune will follow. For physical reasons which are

<sup>59</sup> These were Thomas M. Irish, Charles W. Irish, and Ruth Elizabeth Irish.

insurmountable, vast and valuable lines of production here depend entirely upon the Asiatic labor, which does not compete, and never has competed with white labor at all. I want to get this article published, if possible, in the New York Evening Post, and send it to you hoping that you will favor me by procuring such publication. If the Post will not take it, use your discretion about placing it, upon the sole condition that if printed it is not to be cut.

I was very glad to see the courtesy and evidence of appreciation with which Mr. Cleveland was met on his recent visit to Chicago. His countrymen have come to their senses and are again clothed and in their right mind concerning his invaluable service to the Republic. Impartial history will place him where he belongs—foremost amongst men and in the first rank of American Presidents.

Very truly,

Jno. P. Irish

Treasury Department

March 8, 1907.

My dear George:

Since mailing to you article on the Japanese question, some things have occurred here which may make the article embarrassing to the government. Therefore, *do not* have it published. Read it and write me what you think of it.

Very truly,

Jno. P. Irish

Port of San Francisco

May 14, 1907.

My dear George:

I countermanded publication of the article sent to you because the Japanese matter had gone into diplomacy and an officer of the Government would not probably discuss it



publicly. Now I wish you to use the article as your own. That part of it relating to the extirpation of civil liberty from this city, is especially timely now when San Francisco is ruled by a union mob.

Roosevelt's letter on undesirable citizens shows in him the Cleveland manhood. The claim of union labor leaders to license American labor must be effectively denied or liberty is an empty thing. Recently a meeting of 4000 labor unionists in this city hissed and trampled on the Stars and Stripes. They are traitors and unionism is assuming everywhere a treasonable attitude.

I would have written sooner but have been very busy. I was impressed by the country's recognition of Mr. Cleveland on his 70th birthday. May he see many more, and enjoy as now the respect and love of his real American countrymen.

I will be glad to furnish you material for your own use about matters here.

Very truly,  
Jno. P. Irish

Port of San Francisco, Cal.,  
July 17th, 1907.

My dear George:

I am in receipt of a copy of the New York Post of the 5th instant, in which is published my letter on the Japanese and labor union questions in San Francisco. I thank you for procuring its publication, because I think it may do something to enlighten eastern public sentiment as to affairs here. The condition of San Francisco is constantly growing worse. The simple remedy for it all is not discussed by the pulpit, the press or other instruments of publicity. That remedy is the restoration of civil liberty. When that is done all things necessary to community life

and progress will be added. It is the habit of our cowardly people to send committees to the labor leaders begging of them to grant a small measure of the privileges and liberty which belong of right to American citizens under the constitution of their country. This cowardly policy only increases the arrogance and strengthens the influence of these alien born agitators, who neither understand nor care for our institutions; indeed, they hold them in contempt for the very good reason that they defy them with success.

I am disturbed by the frequent reports of Mr. Cleveland's illness. I hope that he suffers but the ordinary besetments that come to us all as age advances, and pray that he may live many years to enjoy the kindly feeling and profound respect of all his countrymen whose opinions are worth considering. Present me to him and to Mr. Morton.

Very truly,

Jno. P. Irish

Port of San Francisco

Sept. 18, 1907.

Geo. F. Parker, Esqr.,  
20 Broad Street,  
New York City.

My dear George:

I was very much depressed by the report, in last Sunday's papers, of the serious condition of Mr. Cleveland's health. The next day these reports were contradicted apparently on his authority. When Secretary Straus<sup>60</sup> was here he told me of the serious digestive troubles which have affected Mr. Cleveland, and I was glad to see in Monday's report that these had passed away. As long as the nutritive organs exercise their proper functions the inroads of old age are immaterial, therefore any form of indigestion

<sup>60</sup> This was, apparently, Oscar S. Straus, Secretary of Commerce and Labor in President Theodore Roosevelt's cabinet, 1907-1909.



is to be carefully noted and averted, if possible. There was one illumination in the midst of these disquieting rumors about his health, and that was the universal expression of kindness toward him and the highest appreciation both of his majestic public services and the fine example he has set to the manhood of the country.

I read with very great pleasure and much amusement your speech for Mr. Bryan delivered to the Winnisook Club. It is fine as a bit of humor and sarcasm, and is of exceeding merit as being just such a speech as Mr. Bryan himself could truthfully make. Since his second candidacy for the presidency some statements were made public in regard to the immense advance in his personal fortune. He felt called on to make explanation in his newspaper, and it was to the effect that his earning power had been greatly increased by his two candidacies for the presidency. This is the same as saying that he made use of the publicity afforded him as a candidate to advance his private business of lecturing for pay and publishing a newspaper for profit. In some publication here I commented on this statement. It means simply using a presidential candidacy for advertising purposes and the advertising ought to be paid for. I suggested that Mr. Adolph Busch of St. Louis might with equal credit and propriety seek the presidential nomination for the purpose of advertising his beer and increasing his profits, or that Dr. Pierce, the nostrum manufacturer of Buffalo, had an equal right to ask the party to nominate him for the presidency in order to advertise his patent medicines. I think Mr. Bryan will be a candidate again, and of course I intend to fight him. I see no indications that the Democratic party as you and I knew it is ever to be restored. Under normal conditions a party should arise from the masses of the people to defend the necessary doctrine of strict construction of the Constitution and the use

by the co-ordinate branches of the Federal Government of the powers delegated to them, and no others. But conditions are not as they were when we were young. The press of the country no longer discusses constitutional questions; the spirit of socialism in its many forms is abroad amongst the masses of the people, and any movement arising from them is more likely to carry the doctrines of Karl Marx than those of Mr. Jefferson.

When you see Mr. Cleveland give him my love and every expression of my high appreciation.

Very truly,

Jno. P. Irish

Port of San Francisco, Cal.,

Feb. 3, 1908.

George F. Parker, Esqr.,

120 Broadway, New York.

My dear George:

I have deferred replying to yours of Dec. 9th hoping that I would be able to go East in March and meet you all at the banquet of the Iowa Society of New York. This now appears to be impossible and I am compelled again to decline and have written General Dodge to that effect.

I received and read with great interest the copy of your address delivered in Iowa in September.<sup>61</sup> The subject and its treatment were both of interest to me, for I am interested in anything you may choose to treat from your standpoint of sober and exact observation. I see nothing inspiring in the political situation, and while I do not wish to seem pessimistic, I am unable to see any indication of the return by the country to the old standards and the old ideals in government.

<sup>61</sup> On September 11, 1907, George F. Parker delivered the convocation address at Simpson College, Indianola, on the subject, "The Age of Concentration."—*The Des Moines Capital*, September 12, 1907.



Please present me to Mr. Cleveland and Mr. Morton.

Very truly,

Jno. P. Irish.

Applegate,

Placer Co., Cal.,

June 25, 1908.

My dear George:

My family is here at our summer place in the mountains, and here at 7 o'clock last night I heard of the death of Mr. Cleveland, and sent to Mrs. Cleveland a telegram. At his age no great prolongation of his life could be expected, but, in the case of our public men, especially when they are also our personal friends, we come to feel that they are to be always with us. We who knew him and to whom close contact and observation disclosed only more and more of his unconscious strength and greatness, have found our judgment of his qualities to be adopted by his countrymen.

He made a creditable, heroic and enduring mark upon the history of his time, and leaves an impression which as part of the story of men and of nations takes a foremost place.

He had the happiness to live through a period of detraction and defamation, finally to be understood for the hero he was and to receive the love and loyalty of his countrymen and the admiration of the world.

It is the greater part of one's intellectual wealth to have known, understood and appreciated him.

You are at hand and can join in paying the last honors, a privilege that distance forbids me to share.

Now that he is dead, it is proper to say many things of him and of the pack that yelped at him in 1896, that could not be said while he lived. None is better qualified than you to say these things and I hope you will do it.

Very truly,

Jno. P. Irish.

Port of San Francisco, Cal.,  
Oct. 9, 1908.

Geo. F. Parker, Esqr.,  
The Equitable Life Assurance Society,  
120 Broadway, New York City.

My dear George:

I return the matter you sent me, hoping it may serve to clarify the judgment as to Mr. Cleveland.

I appreciate the interest that has grown upon you as you have proceeded with this work.

Mr. James Creelman, in Pearson's for August, has an article entitled: "Is the Party of Jefferson Still Alive?" largely devoted to Mr. John Bigelow, and Mr. Tilden. He seems to quote Bigelow for the statement that Mr. Tilden disliked and distrusted Mr. Cleveland.

Now I do not know what occurred between them in the time that elapsed between my last meeting with Tilden and his death, but I do know that in that last meeting Mr. Tilden expressed the highest admiration for and confidence in Mr. Cleveland.

Speaking of the campaign of 1884, Mr. Tilden said that except for the Maria Halpin story Mr. Cleveland would have carried New York by 50,000 majority, and that had he treated that attack in any other way than the method he chose, he would have lost New York by 50,000. Continuing Mr. Tilden said, "When that story came out we were thrown into a panic, and even I did not know what to do. We wired Mr. Cleveland and at once came back the answer, 'Tell the truth about it.' " Then the lawyer came up in the old man and he said, " 'Irish, did you ever stop to think that answer was neither an admission nor a denial?' Yet it appealed to the country's sense of fair play and put Mr. Cleveland in immediate contrast with Mr. Blaine who was



shuffling and equivocating about the personal charges that were made in retaliation against him.”<sup>62</sup>

Now, this conversation is vividly impressed upon my memory, for it was the last talk I had with Mr. Tilden. But Mr. Creelman (see page 145 of Pearson’s) says, “It was not until Mr. Tilden gave the unwilling signal—for he distrusted the man—that Mr. Cleveland’s nomination was possible.”

I am unable to believe that this is true, for Mr. Tilden was not so covert and furtive as to have distrusted and disliked Mr. Cleveland in 1884, and make to me such high ascription as he did in that last meeting on Jan. 1st, 1885, in the presence too of Andrew H. Green.

Mr. Bigelow is ninety years of age. I know not what defects of memory or personal prejudices may color his statements now, and less do I know the motives of Mr. Creelman nor the bias against Mr. Cleveland that is so plain in his article, I only know what was imparted to me by Mr. Tilden in apparent frankness and friendship.

I shall look with great interest for the appearance of your book.

Very truly,  
Jno. P. Irish.

Port of San Francisco, Cal.,  
Nov. 4, 1908.

My dear George:

Well, Mr. Bryan has ended his career and it is to be

<sup>62</sup> For information about the Maria Halpin story, see the *Chicago Tribune*, July 22, 23, 1884; Lynch’s *Grover Cleveland A Man Four Square*; *Harper’s Weekly*, August 16, 1884, p. 528; and Ford’s *The Honorable Peter Sterling*. Irish is probably referring to the charge that Blaine had received favors from the Little Rock and Fort Smith Railroad in return for legislative assistance. Connected with this charge were the famous “Mulligan Letters”. Such arrangements were not uncommon during the years following the Civil War, and many public men of high standing accepted financial favors. There were, however, apparently whispering charges of a more personal nature.

hoped that a Democratic party will rise again and command a degree of public confidence. Surely it has tried Cleon the leather seller as a leader long enough to be admonished. Cleon the Athenian had at least the victory of Sphacteria to his credit, though he fell at Amphipolis. Bryan has no Sphacteria, and I hope has met his Amphipolis in American politics. In this state the lapse of Democrats from his support was greater than in 1896.

I think that this country will have a strong but amiable administration under Judge Taft. I am convinced that the complexity of our civic issues requires a sound lawyer in the White House, of sober and judicial mind, and I believe Taft to be of that quality.

I am greatly relieved by Bryan's defeat. After my debate with him at Crete, Nebraska, July 4th, 1896, I made up my mind that he was unfit for the Presidency, and decided to do my utmost to spare Mr. Cleveland the humiliation of riding up Pennsylvania Avenue to his inauguration. That sentiment has remained with me, and come what may, I rejoice that he is done for. I suspect that you share this feeling. With regards to Mr. Morton,

Very truly,

John P. Irish

Port of San Francisco, Cal.,  
Jan. 25, 1909.

George F. Parker, Esqr.,  
Equitable Life,  
120 Broadway,  
New York City.

My dear George:

I have read with very keen interest the first of your series of articles on Mr. Cleveland in the February McClure's. Your style and treatment are admirable and I



think the series will be widely read and as widely appreciated. I hope that you will be able to shed some light on the relations between Mr. Cleveland and Tilden, a subject upon which I have already written you.

I received your admirable address delivered in Chicago upon the industrial situation, and have loaned it to several friends who express the highest approval of its searching analysis and philosophical tone. The country greatly needs sober minded expressions of that kind.

Your Cleveland articles are going to be an invaluable contribution to our current history, and will place their subject where he belongs in the estimation of his countrymen and the annals of his time.

It is entirely unlikely that I will be able to be in New York in March. I have interests here which at this season require the closest care and attention and do not feel that I will be able to withdraw oversight for the length of time that would be required to make this journey.

With regards to Mr. Morton and to you and to your family.

Very truly,  
Jno. P. Irish.

Port of San Francisco, Cal.,  
Feb. 24, 1909.

Geo. F. Parker, Esqr.,  
120 Broadway,  
New York City, N. Y.

My dear George:

I have read the section of your series on Bryan and Bryanism. I like its tone as it presents facts and interesting inside history without drastic comment or criticism. The debauchery of the party of Mr. Bryan is one of the marvels of history. In this State the State committee, and others

who have been diseased by the Bryan virus, met the other day and solemnly declared that Democracy insists upon direct legislation, the election of all judicial officers, with the power in the people to recall any judge whose decisions are counter to the popular fancy. Of course, this means a complete revolution in the Government, total abolition of its representative form, coupled with the claim that the people are to pass upon all issues of constitutional construction at the ballot box. This is, in slightly modified form, the adoption of government by revolution as practiced in the Latin-America States. You will see at once that it removes from a minority the judicial protection of its rights and establishes an ochlocracy.

Before you close your series you might well devote a section to a statement of these new ideas and a comparison of such a government with the one founded by the Fathers, showing how Cleveland stood inflexibly for the Constitution, for orderly representative government and the independence of each of the three coordinate branches.

Make my regards to Mr. Morton.

Very truly,

Jno. P. Irish.

Port of San Francisco, Cal.

August 18, 1909.

George F. Parker, Esqr.,  
120 Broadway,  
New York City.

My dear George:

I return your manuscript with one interlineation. The discussion of Mr. Cleveland's selection of members of his Cabinet reminds me of a conversation with Mr. Tilden, which discloses on his part a mistake in judgment. After the election of 1876, when it was known that he had been



fairly chosen as President and had received a popular majority, Mr. Tilden considered the future with great gravity. He said the trouble would be found in the lack of men in the Democratic party fit for Cabinet positions by reason of want of training amongst our public men in executive duties. He said that leaders of the party had had legislative experience only, and that we were entirely safe in having Congressional leadership, and our difficulties would appear through having no men trained in executive functions. When Mr. Cleveland was elected he called into his Cabinet men of the greatest experience and highest qualities, who proved to be admirably qualified for executive duties, and our Congressional leadership in both of his terms proved to be such a miserable failure that it became responsible for the permanent wrecking of the party. It turned out that our Congressional leaders were so fixed in the habit of opposition that they used it against their own Administration and robbed it of its natural and legitimate leadership. It was this that left Mr. Cleveland and his Cabinet standing alone: on one side meeting the natural and legitimate antagonism of the Republican party, and on the other, faced by the bitter, foolish and almost criminal opposition of Democratic leaders in Congress.

This painful situation however was the means of bringing into action the highest qualities in Mr. Cleveland's character, than which there have been no higher nor greater in the history of our public men. To this he owes his great and unassailable position in the world's history. The American President who bravely meets the great crisis of peace involving the preservation of the public credit, and going direct to the material interest of every citizen, high and low, executes a more difficult duty than is put upon any president in time of war. In war the patriotic sentiments and unselfish impulses of the people are in high

activity, and they are ready without question to back up every position taken by the President, and to make every sacrifice he demands of them, and his task is made easy compared to that which was put upon Mr. Cleveland. In his case it was easy to persuade the people that they were injured in their fortunes by the policy which was their sole defense against wide-spread ruin. It was a policy which maintained the sacredness of contracts and stood for honesty in every financial transaction, great and small. That policy, endorsed by the election of 1896, after the greatest campaign of education known in our politics, carried on by our Gold Democracy and the Republican allies, was the foundation of any real and general prosperity which the country is to know in the future.

In dealing with Mr. Watterson,<sup>63</sup> I would advise that your treatment be as general as possible, making plain, however, his erratic disposition and his habit of subordinating everything to personal pique.

In regard to Mr. Tilden's opinion of Mr. Cleveland, I recollect his definition of a leader, which he applied to Mr. Cleveland. He said that a leader is a man who always knows what to do next, and is never caught in a corner with no resources beyond. I hope you will not forget due ascription to Mr. Cleveland for his Venezuela message, for that was a case in which he knew what to do next, and by doing it gained the hegemony of the hemisphere. When you reflect that England ever since the battle of Hastings has been striving unsuccessfully for the hegemony of Europe, the magnitude of Mr. Cleveland's achievement will appear. England's striving went on by way of the crusades, through the headship of the Protestant Alliance by William Third and in her leadership of the allies against Bonaparte, induced by the necessity for resisting

<sup>63</sup> Henry Watterson, prominent as a journalist and political writer.



the Berlin decree, and yet she still stands far from the achievement of her ambition.

I look forward with great interest to the appearance of your article.

Very truly,  
Jno. P. Irish

Port of California, San Francisco  
Oct. 11, 1909.

Geo F. Parker, Esqr.,  
The Equitable Life Assurance Society,  
120 Broadway, New York.

My dear George:

I received your Iowa University<sup>64</sup> address and read it with lively pleasure. It started a procession of old memories.

I thank you for copy of the Cleveland book.<sup>65</sup> It will have the place of honor in my library.

. . . . .

When I was a Regent of the Iowa University, 40 years ago, I led in establishing the Law and Medical Departments, partly because as the representative of the institution in the Legislature, I felt the need of the support of the active men in those professions to help in its rehabilitation after the exhaustion of the Civil War. My idea about the conduct of those Departments was to progressively raise the initial requirements and extend the courses, so as to graduate fully equipped men. I fear, however, that the lure of numbers has superceded this purpose.

I sympathize with the effort to rescue the Democracy, but fear that only a final break-up of parties will lead to any results. When Bryan marched into the National Con-

<sup>64</sup> Parker had delivered a convocation address on "The Student's Obligations" at Iowa City on September 22, 1909.

<sup>65</sup> Probably this was Parker's *Recollections of Grover Cleveland*.

vention behind the silver banner, it seemed to me that he was carrying the pall of the old party, and so far this sinister vision has been justified.

Present me to your family, and make my regards to Mr. Morton.

Very truly,

Jno. P. Irish

Oakland, Cal.,

Jan. 26, 1910.

Geo. F. Parker, Esqr.,

20 Broad St.,

New York.

My dear George:

Thanks for your remembrance of my birthday. I find myself at 67 with the horizon still receding as I approach and with a forelook as wide as in earlier years.

The consequences of the crime of 1896 are now fully upon the country.

President McKinley told me once that if the Democracy in that year had stood by its ancient faith in sound money and nominated Carlisle, or some statesman in whom the country had confidence, we would have stayed in power and he would not have been President. If the evil spell of Bryanism could be exorcised, the party under a great leader would win. But think of it! Champ Clark, the minority leader of the House, a few days ago made a speech in Ohio, and what was it? A statement of enduring principles and high purpose? No, a petty, nagging personal attack on Cannon, and some cheap wit.

I'm glad your book is selling well, for not only does it deserve it as a prime contribution to history, but it shows the undying confidence of his countrymen in Mr. Cleveland.

I may come East this year, though my private affairs will



much engage my attention. I am a farmer with nearly 1000 acres to take care of. My son Jack,<sup>66</sup> who greatly to my happiness took to land and livestock, is Superintendent of one of the Government experiment farms, and spends two months every winter in the Agricultural Department in Washington, where he is now. After some more experience in that service he will share with me the management of the land.

Do you remember in Indiana, years ago, while I was campaigning there and you took care of my mail, you received for me a photograph of my little daughter<sup>67</sup> and admired it, saying you always liked the pictures of an old bachelor's children? Well, I enclose a photograph of that little daughter's boy, my grandson, at about the same age as she was then. It was taken by my wife last April, while we were on one of my ranches in Kern County, and he was dressed to help me in the hay field.

Be sure if I come East I will see you and your family.

Very truly,

Jno. P. Irish

Oakland, Cal.

Nov. 18, 1910.

My dear George:

I have been ill for 5 weeks and only just now have found my clothes where my wife and the doctor hid them, and am clothed and in my right mind.

Monday I go to St. Louis to try and prevent the Water Ways Convention endorsing N. O. for the Panama fair. With me will be the men interested in the project here and I will tell them of you.

In politics the unexpected has happened. Roosevelt is

<sup>66</sup> John P. Irish, Jr.

<sup>67</sup> His daughter Frances became Mrs. F. L. M. Hus. The grandson was Francis Hus, Jr.

unhorsed for good, though 1912 may see his party split into radical and conservative wings, as Bryan split us in 1896, and if we have sense Harmon<sup>68</sup> or a good man like him can be elected. The election was an unmixed delight any way, for what pleasure equals seeing a cock sure smart aleck get it in the solar plexus.

I hope Mr. Parker will take Depew's<sup>69</sup> place.

I'm writing hastily and defer a longer screed.

Regards to your family,

Very truly,

Jno. P. Irish

Oakland, Cal.,

Aug. 27, 1911.

My dear George:

It has been such a strenuous summer with me that distant friends have been neglected. I farm 1000 acres here. My Semi-Tropic ranch in Kern County is a ½ section and the rest of it is my Caliova ranch on an island in the San Joaquin river. These places are 325 miles apart. At Semi-Tropic I had the finest ranch house in Kern County and last month it burned, and in the fire my foreman's mother was burned to death—a sad tragedy. I have just finished rebuilding.

Your friend the Professor called when we were all at the Casa Rio, my house on the river, and only the housekeeper was home. On my return I called at his hotel and he was away foregathering with the Indians in Mendocino County. I left him a note and invitation to dine at his convenience, but he went South when he found interesting things abori-

<sup>68</sup> Judson Harmon, who had just been elected Governor of Ohio with a plurality over Warren G. Harding of over 100,000 votes.

<sup>69</sup> Chauncey M. Depew was at that time Senator from New York. "Mr. Parker" may refer to Alton B. Parker, who was the Democratic candidate for President in 1904. The successful Democrat was James A. O'Gorman.



ginal in Tulara County and we did not meet, much to my regret.

I am watching the signs political with some interest, hoping that the country will tire of radicalism and of the disciples of Cleon the leather seller, and turn to some conservatism in constructive statesmanship. The fads and follies of Populism are no more agreeable to me when advocated by Roosevelt and Champ Clark than they were when expounded by Calamity Weller and Bryan. Governor Wilson<sup>70</sup> has been here, advocating the initiative and referendum, popular election of U. S. Senators and the recall, except as to judicial officers. Why the hell he revolted at a gnat after swallowing a camel I don't know. If we are to destroy representative government let us make a complete job of it, and at once install an ochlocracy in place of the institutions devised by the founders. I would have some confidence in the candidacy of Governor Harmon and an appeal to the common sense of the people. But what are we to think of a political situation that inspires the unspeakable Hearst to again aspire to the Presidency. I fear that I am still destined to find my fields and flocks more interesting than public matters.

My wife and I leave for Iowa next week, to drive over the old roads and see the old places once more.

Regards to you and yours.

Very truly,

Jno. P. Irish

Oakland, Cal.,

Oct. 4, 1911.

My dear George:

Thanks for the slip from the *Sun* in re Aked.<sup>71</sup> I suspect

<sup>70</sup> Woodrow Wilson, afterwards President of the United States.

<sup>71</sup> Probably Charles F. Aked, clergyman and reformer, at this time pastor of the First Congregational Church in San Francisco.

it was sent by his procurement, for it contained the lie that I am a "paid lecturer" against woman suffrage. When I returned from the East I found my state alarmed by the open alliance between the suffragists and socialists, with Dr. Aked and J. Stitt Wilson, Socialist Mayor of Berkeley, on the stump supporting it.

I immediately took the field against it as an unpaid and independent volunteer.<sup>72</sup> Aked has been very nasty.

Will you do me the favor to see the *Sun*, and ask a correction for me?

Very truly,

Jno. P. Irish

Oakland, Cal.

Casa Rio

Oct. 22, 1911.

My dear George:

Your letters reach me here in my island house, in the San Joaquin delta, where my family are taking an outing. My campaign against woman suffrage was of necessity confined to the populous communities around the bay, and those in San Francisco, San Mateo, Maria and Alameda counties, it was beaten by over 20,000.<sup>73</sup> I was alone and arrayed against me were a half dozen Jewish Rabbis, a dozen Catholic priests, and a hundred Protestant parsons, and all of the daily papers. Unfortunately I could not cover the whole state alone, and so the work of the county clergy had none to oppose it. It was a special election at which 23 amendments to our Constitution were voted on.

<sup>72</sup> In this connection it is interesting to recall that John P. Irish, in 1870, introduced in the Iowa House of Representatives the first equal suffrage amendment to the Iowa Constitution.—*Journal of the House of Representatives*, 1870, p. 95.

<sup>73</sup> These figures refer, apparently, to the districts mentioned. In the State as a whole the equal suffrage amendment carried by a small majority of some 3500.



They were all revolutionary, extending from woman suffrage, through the initiative and referendum to a recall of all judicial officers. What we may expect from the scheme of direct government was shown in the fact that of the 600,000 voters in the State only one-third voted, and a majority of that third struck down representation government and destroyed an independent judiciary. The result of my single handed fight against woman suffrage in the district where I was able to make it, convinces me that with the means to make a campaign and a half dozen able men to assist me, all of the revolutionary amendments could have been beaten.

What has happened discloses the future we are to have under direct government. A turbulent and fanatical minority will vote and rule the indifferent majority, till, as in the Greek democracies, a mob governs, and public order and security are destroyed.

We have been approaching this condition for some time. The last pronounced stand made against it was that we made against Bryan in 1896. Since then the cheap magazine literature and the wild yelping of the demagog, have spread the socialistic cult, and it may be that our representative institutions are about to pass away. They were founded in Wisdom, and in the full knowledge of the fact that in direct government only the few, the minority govern, while in representative government a majority takes part.

The one-third vote here in the most important referendum that has gone to our people, shows that men have not changed since the Greek democracies, and affirms the wisdom of our fathers.

The people of the East may as well take notice that the contagion is spreading and that there was no specific local cause here for this result. The woman suffrage leaders

made an open alliance with the Socialists, and this alliance seems to have suited the mood of the clergy. I look for startling political success by the Socialists here in coming municipal elections.

I have carefully considered the situation and can see only one way to bring the people to their senses and arrest this destructive wave. The nomination of Judge Harmon and his election on a platform declaring for the integrity of American institutions, would swing the country back to its constitutional moorings.

Present me to your family.

Very truly,  
Jno. P. Irish.

Washington, D. C.

June 3d, 1912.

My dear George:

To-day I received the enclosed from San Francisco. Mr. Catlin is a lawyer, without experience in the publicity field. It shows that Mr. Watters of which we talked is coming out for consideration and I will try and get it in my hands to such extent as to control it, when it is ripe. I will be here a week longer.

Very truly,  
Jno. P. Irish

Washington, D. C.

June 6, 1912.

My dear George:

I have read with pleasure and keen interest the enclosures, which I return. Vast interests which affect the fortunes of countless investors, large and small, have left the field of publicity to be occupied by the agitator and demagog. Unless they move into it and make wise use of its possibilities, their last state will be worse than their first.



I will be here Saturday, and hope to see you.

Very truly,

Jno. P. Irish

Oakland, Cal.

July 3, 1912.

My dear George:

I see that Mr. Bryan is in a bloviating mood this morning, while Mr. Clark<sup>74</sup> is showing post convention rancor and resentment.

The only escape from Hearst seems to have been by running into arms of Bryan, so two men who are not Democrats prove to be the evil genius of the party.

I wrote you to do me the favor to write me in confidence the inside of the Baltimore convention and the meaning of the nomination of Wilson. It meets with a very passive reception here.

Very truly,

Jno. P. Irish

Were you surprised by the resignation of our friend the Lord Chancellor?<sup>75</sup>

Oakland, Cal.

July 10, 1912.

My dear George:

The Convention at Baltimore permitted itself to be taken by surprise and had no leader on the floor to oppose Bryan, or expose him.

The Ante-Convention situation was very bad, with Champ Clark in the lead and Hearst behind him, and Bryan representing the other side.

<sup>74</sup> Champ (James Beauchamp) Clark, candidate for the Democratic nomination for President in 1912.

<sup>75</sup> Apparently this refers to Earl Loreburn who had been Lord Chancellor of Great Britain from 1905 until June, 1912.

The net result will probably be that the party has thrown away another chance as it did in 1896.

So far I have been too busy to think much of politics. I wish you would write me at length of the inside of the convention, and also of the attitude now of men who think as we do.

A campaign can be made that will again consolidate the conservative sentiment of the country. Whether any Republican can make it is doubtful.

I enclose an estimate of Mr. Bryan that might be of interest in the East if turned loose in the press.

I may have to be in the East again this summer and if so may have the pleasure of seeing you in New York.

Very truly,

Jno. P. Irish.

Casa Rio,

Aug. 13, 1912.

My dear George:

Thanks for information about Chinese affairs. I am waiting for things to settle down and the new Government to reach the angle of repose, but meantime am in evidence there. The strong American Chinese are anxious to get rid of Jno. W. Foster,<sup>76</sup> and have me in his place, and as they are in constant contact with affairs in China I let them run it.

Since my return I have been here on my insular estate and my political information is much confined to your letters. I find many Republicans who will vote for Wilson and many Democrats who will vote for Roosevelt. Wilson's acceptance speech is a singular composition. Non-virile, and lacking in strong notes. It is such a speech as a Professor

<sup>76</sup> John W. Foster, a prominent lawyer and diplomat, had represented China at the Second Hague Conference in 1907.



might make to a committee of old ladies, met to found a "settlement in the poorer quarters of our city."

When I have time to get off the river I will give you an estimate of the outlook here.

Very truly,  
Jno. P. Irish

Casa Rio,  
Oct. 4, 1912.

My dear George:

There is an evident reaction here toward President Taft, though it is ineffective locally, since Hiram Johnson's primary election law was so framed as to deprive voters of the right to vote for Taft. But as a psychological indication the reaction here may be instructive as indicating a nation-wide change. I wish you would tell Mr. Hilles<sup>77</sup> that in my judgment enough is not being made of the third term. I found here that Republicans who have followed Johnson heretofore and burned incense to Roosevelt, desiring to return to the fold, discover that they are opposed to the third term and use that as a plank to walk back on. My impression is that an appeal to that sentiment will be of great benefit. I by no means despair of Taft's election, remembering the many changes I have seen in apparent public sentiment during the last 50 years.

If Taft cannot be voted for here of course shoals of Republicans will vote for Wilson to keep the state from Roosevelt. The same men will also vote for Democratic candidates for the legislature in order to deprive Gov. Johnson of control of that branch of the government.

You kindly sent me the report of Johnson's speech in

<sup>77</sup> Charles D. Hilles, Chairman of the Republican National Committee, 1912-1916. The third term objection, of course, applied to Theodore Roosevelt, who had succeeded President McKinley and been once elected.

Syracuse, in which he became sentimental about visiting the city of his parents.

. . . . .  
Hiram had all of his father's tricky qualities, without his eminent ability, except his gift of speech. He was at feud with his parents for years. When the report of his Syracuse speech reached here his father was at lunch with a company in the Palace Hotel. Asked about Hiram's speech, he said: "Yes, the city of his parents. He has not spoken to me for twenty years and would not speak to his mother, nor recognize her on the street for years before she died. His conduct was so resented by the other members of the family, they requested him not to attend her funeral. Yes, the city of his parents must impress him greatly."

Fine family!

Hiram has loaded the state up with commissions of all kinds and with other commissions to watch them, and has increased the cost of the state government by many millions, but the multiplication of paid officers was necessary to the construction of his political machine.

Do you know the editor of the N. Y. Times? I have sent him a letter in reply to a malignant slander of the women who opposed suffrage here, which he published from the pen of Rev. Alice Stone Blackwell of Dorchester, Mass. If you know him, it will be a favor if you will give me such an introduction as will give credit to my letter, which he already has. I can supply him with interesting facts concerning the working of the initiative, referendum and recall here, and the effect of putting those weapons in the hands of political women, and the emotional mass added to our electorate by woman suffrage. It all spells Hell for California.

Very truly,

Jno. P. Irish



Oakland, Cal.

Oct. 29, 1912.

My dear George:

It would have been good policy to send Taft Republican speakers, like Gov. Gillette,<sup>78</sup> Sam Shortridge<sup>79</sup> and Judge Short<sup>80</sup> east to explain the absolute disfranchisement of the Republicans and Taft people of California by the primary law passed by Hiram Johnson's hog tied legislature. It would have exposed Johnson's high pretensions very effectively.

Wilson will probably carry California by the votes of Taft Republicans. The Democratic campaign here is a puerile farce, but in the present condition that makes no difference.

If Wilson is elected I shall look for the influence of the South to prevent the downfall of our constitutional system, and to hold our institutions in place until the fool fever for their destruction runs its course.

It is to laugh! The Democratic State Committee has put on the stump as *the* leader for Wilson, Mrs. Gertrude Atherton! If you have read her biography of Hamilton "The Conqueror" you will appreciate her appearance as an advocate of Jeffersonian democracy, for in that book she holds Jefferson up to contempt as a liar, poltroon, charlatan, and scouts his political principles and philosophies. But in these times everything goes and Mrs. Atherton appears on the platform, smoking while she waits an introduction.

<sup>78</sup> Apparently this was James N. Gillett, Governor of California from 1907 to 1911.

<sup>79</sup> Samuel Morgan Shortridge, Senator from California, 1921-1933.

<sup>80</sup> Frank Hamilton Short, of Fresno, California, was a prominent lawyer, frequently employed by the irrigation interests. Mr. Irish was apparently bitterly opposed to Roosevelt and Johnson.

Your request for a photo has been referred to Mrs. Irish who considers it favorably. I would very much like yours.

Very truly,

Jno. P. Irish.

Casa Rio,

Nov. 9, 1912.

My dear George:

I am up here on my Caliova ranch, at peace, in the Casa Rio, where my garden is still rich in all the good things of summer.

The election was no surprise to me, and should not have been to anybody. The people always turn from a party when its leaders are quarreling. This happened to us in 1848, 1860 and again in 1896, and now the Republican party has fallen under the decree of this universal law. Of course the result will be ascribed to every other except this plain, old reason. There will be those who in the name of this political revolution will demand the over throw of representative institutions, others will cry for laws that say murder is not murder, and arson is not arson, when committed by union labor.

In the newer woman suffrage seats that have also the initiative, referendum and recall there will hatch all sorts of nondescript measures, as is the case here, where our ballot was loaded to the Plimsoll<sup>81</sup> line with initiation changes in the constitution, all of them idiotic and destructive. Now a leading suffrage woman in Los Angeles wishes to settle judicial and eugenic problems by putting all such criminal cases as the McNamaras to vote, and leaving the right to marry and the right to divorce to a vote of the precinct!  
. . . . .

<sup>81</sup> The Plimsoll line was the mark on British vessels to indicate the maximum submergence of the vessel permitted by law.



I look to the South to stand by our institutions. It is supposed here that Mr. Bryan will be Secretary of State, for which he is unfit. Why not make him Secretary of the Treasury, for which he is also unfit. Whether in the Cabinet or out, I expect a break between him and the President, for he is so inflated that he will not advise, he will dictate, and no self-respecting President will submit to that.

The party in California is in the hands of pismires [ants]. With regards to your family.

Very truly,

Jno. P. Irish

Oakland, Cal.

Nov. 16, 1912.

My dear George:

Jno. Hays Hammond can surely promote your interests with the exposition<sup>82</sup> people, who sadly need the sort of work you can do. Get him at it. I have received your photo, and it is excellent. My wife will see that you get mine in exchange.

It is surely disquieting that the candidacy of Wilson brought out no evidence of growth in Democratic sentiment in the country. Whether such results can be wrought by the Administration as to secure permanent accretion to the vote, remains to be seen.

Very truly,

Jno. P. Irish

Jan. 7, 1913.

Oakland, Cal.

My dear George:

We are both at the age of the sage and yellow leaf and yet I am sure that we feel it but little. I find that work,

<sup>82</sup> This was the Panama-Pacific Exposition at San Francisco.

manual and mental, is the best means for avoiding the burden of years.

I have just written Fred Lehmann<sup>83</sup> about Iowa University affairs. Last Fall when the new State Board of Education began disintegrating the institution I wrote Prest. Bowman that it was a violation of the constitution and I am glad to see that in a recent publication Fred agrees with me. "University" is not a mere empty title. It is descriptive of an assemblage of colleges. I think that some citizens of Iowa should invoke judicial protection for the institution.

I notice a growing feeling in the East of uneasiness caused by the many "talks" of President Wilson. Even the Brooklyn Eagle begins to shy. I look for a deal of trouble caused by trying to bud the Democratic tree from the Roosevelt sapling.

How does it look to our friends East?

Very truly,

Jno. P. Irish.

Oakland, Cal.,

Feb. 28, 1913.

My dear George:

I am sending you a paper with a sort of report of the Memorial service here in honor of Joaquin Miller.

He died alone with his wife. His daughter had come down after me and I reached the house five minutes after he passed away. Conforming to a pact we made 30 years ago, I had his body cremated and in a little while the Bohemian Club will hold final memorial ceremonies and dispose of his ashes at the mausoleum on the Heights. I had

<sup>83</sup> Frederick W. Lehmann, formerly an Iowan, then Solicitor General of the United States, had been asked to give an opinion as to the constitutionality of the proposed removal of the engineering school from the State University at Iowa City to Ames. See *Iowa's Educational Problem*, published in 1913 by a committee of which James B. Weaver, Jr., of Des Moines, was chairman.



his confidence and friendship for nearly a third of a century, and had great affection for him as a man. He never lost the pioneer habits and the savor of the frontier was in his life to the last.

Last month I was in Washington three days putting my cases in the State Department out of reach of Bryan, and then urgent business here called me home. With best regards to you and yours,

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Mar. 11, 1913.

My dear George:

Perhaps there has never been more uncertainty about what an Administration will do, than now. For the most part the President's utterances are cryptic, and when otherwise they run in line with the magazine literature of the last few years, which has taught that if anybody has to work somebody is to blame for it, and should be punished. In my early life I did about all the hard manual labor that men are called to do now in the same occupations, and yet I read that those who with equal health, strength and better pay, are coming on up the road I trod, are wage slaves, whose cries of agony fall upon the deaf ears of capital. Since 1896 we have been approaching a reconstruction of society, with the purpose of rebuilding it on its diseases and failures, and treating its health and successes as crimes.

The inaugural has too much of that cadence. Let us hope that the responsibility of power and the enlightenment of its use, will lead the President to see something worthy in our institutions, and that enterprise is not a crime and work is not slavery.

I sympathise with my brother practitioners and Mr. W.

E. Curtis,<sup>84</sup> in their distrust of the State Dept. under its new head. But let us not mourn as those without hope.

When Mr. Bryan would a soldiering go in the Spanish War, he procured appointment as Colonel of a regiment. Then he clothed his neck with thunder, girt his belly with a brass sash and posed before a camera. The wise Governor of Nebraska, mindful of the situation, commissioned Col. Victor Vifquain, a trained French soldier, as Lieut. Col. of the regiment, to drill the men and discipline them for war. In all his career Mr. Bryan has worn the comb, wattles and tail feathers of the cock of the walk, but has left the actual work to some one else.

To-day I read in the press dispatches that Mr. Jno. Bassett Moore is to be assistant Secy. of State. He has twice held office in the State Dept., is profoundly learned in international law and would make it possible to do business in the Dept. while Mr. Bryan poses to the nations and gorges water at the Diplomatic banquets.

I wish you would show this letter to Mr. Curtis and see if he agrees with me.

To-day we are rejoicing in the arrival of a little granddaughter, the second child of my daughter Frances. The young lady would be glad to send her compliments to her grandfather's old friend, but has not yet had time to get acquainted with the facts.

Regards to your family.

Very truly,

Jno P. Irish

Oakland, Cal.,

May 27, 1913.

My dear George:

I am sending you under separate cover an article which discloses the amusement and occupation of my old age.

<sup>84</sup> William Eleroy Curtis, prominent newspaper writer.



In the same issue the editor discloses his ignorance on the Japanese question. If he publishes an answer I will write I will send it to you.

I see signs of revolt in the class rooms in Washington, and the Professor may wake up some morning and find that the boys have put his bicycle out of reach on the Capitol down and have hung some of Mrs. Wilson's choicest landscapes in the cow barn.

It is proving a happy day for the political pismires in California, for so far every appointment has gone to them, and the state would grin, if it did not feel like the fellow in Memphis that was being taken to be hanged by the sheriff and weakened when the sheriff said "here, stiffen up and grin and bear it," and the condemned answered "I'll bear it, but I'll be d——d if I'll grin."

I hope you have in prospect a pleasant spring and summer.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Jan. 22, 1914.

My dear George:

I had an awful jolt on the 2nd of Jan. by an Associated Press wire that Geo. F. Parker had been found asphyxiated by gas. Though I never knew you to do such a trick I wired Judge Parker<sup>85</sup> and got the reassuring reply that it was quite another man of the same initials.

I read with great interest and approval your address in West Virginia. It raised again the standards approved by the experience of all ages, but I know not through what agony and bloody sweat we will return to them. At no other time in our history have the politicians been so cowardly

<sup>85</sup> Probably Alton B. Parker.

and craven and ready to surrender our birth right of constitutional order to any impudent and noisy army that chooses to march upon Washington and use the tactics of intimidation.

I had intended to go East this month but am confined to my room by a stubborn attack of bronchitis, so that my future movements are uncertain.

If I do make the journey I will write you.

With regards

Very truly,

Jno. P. Irish.

Mch. 24, 1914.

My dear George:

Thanks for your note of the 19th and the kindly solicitude which prompted it. I went to my house, the Casa Rio, on my island plantation, and there dropped bronchitis and all ills of the flesh, and took on all sorts of capacity for work.

My partner in Washington, Mr. Walter S. Penfield, describes affairs in the State Department as a condition of pathetic chaos.

I did not endorse the toll exemption of our coastwise ships, but Bryan put it in the platform and Wilson endorsed it in the campaign. Now they reverse and lay upon members of the party in Congress the heavy responsibility of reversing with them. If Wilson had been content to send in his message asking the repeal, leaving Congress to independent action, it would not be so bad. But he is applying to it his system of beating Congress into submission, something that Parliament would not tolerate from a King.

The press seems to be loosening up a little and criticism has a free run.

The test comes in the West elections. Here the registra-



tion of voters shows the Republicans to outnumber Democrats and Progressives combined.

I thank you for Mr. Stetson's admirable address.

Very truly,

Jno. P. Irish

Casa Rio,

Nov. 12, 1914.

My dear George:

It is seldom that the ballots, at one shot, bring down such a variety of game.

The slimy hypocrisies of the Administration seem to be getting plainer every day to the people who think straight, and they, joined to the mass who think only in prices, profits and wages, have refused to "thank God for Woodrow Wilson." Really, when you think of the pious whims of it, the rebuke seems almost brutal in its common sense.

I was in Des Moines last March to attend the home coming of Iowa artists and authors and old newspaper men. I was the only one there who dated back more than half a century, Clarkson and J. J. Richardson being unable to come.<sup>86</sup> I missed them. The occasion was made very pleasant, and you would have enjoyed it. I had not been in Des Moines, except briefly since 1893, and was impressed by the beautiful expansion of the city.

I am up here on my island enjoying the fine Indian summer.

With kindest regards to your family.

Very truly,

Jno. P. Irish.

<sup>86</sup> This was probably James S. Clarkson, popularly known as "Ret" Clarkson. J. J. Richardson was for many years connected with the *Davenport Democrat* and also served as regent of the State University. He was a personal friend of Grover Cleveland.

Oakland, Cal.,  
Feb. 15, 1915.

My dear George:

I am working on an account of the Gold Democratic movement of 1896, and am in need of the record of proceedings of the Convention of Gold Democrats held in Indianapolis. Can you, by seeing Mr. Geo. Foster Peabody, find a copy for me? He was our Treasurer.

Henry Watterson and others, have compiled the history of the liberal Republican movement of 1872, with its interesting personal touches. That convention by the nomination of Greeley rendered an important service, for it changed parting angles and somewhat assuaged the hatred and bitterness left by the Civil War. The Gold Democratic convention did a service, the importance of which cannot be computed, for it saved our national credit and restored the private credit of our people and established permanently the single gold standard.

I took part in the conferences held in Chicago during the Bryan convention and after the nomination of that charlatan, and wrote and introduced the resolution which crystallized the purpose of the conferences upon the calling of a national convention.

In that conference were J. Sterling Morton, General Bragg, Governor Flower, Jno. R. Fellows, Gov. Waller, Frederick Condert, William C. Whitney and many others.<sup>87</sup>

I wish to prepare the matter in magazine form and will send it to you.

Very truly,  
Jno. P. Irish.

<sup>87</sup> These men were probably the following: J. Sterling Morton, of Nebraska (see note 24); General Edward S. Bragg, of Wisconsin, author of the famous phrase applied to Cleveland, "We love him for the enemies he has made"; Roswell P. Flower, Governor of New York, 1892-1895; John R. Fellows, Representative in Congress from New York; Thomas M. Waller, who had been Governor of Connecticut; and William C. Whitney, Secretary of the Navy in Cleveland's first administration. Frederick Condert was not further identified.



Oakland, Cal.,  
March 11, 1915.

My dear George:

I fear I am putting you to too much trouble in getting proceedings of the Gold Democratic Convention of 1896. Mr. Peabody was Treasurer of the Committee and greatly interested in the movement. I have known since that he thinks that an act entitled an act can recreate society, abolish evil and introduce the millenium. Do you know Mr. Frederick Condert? He was one of us in 1896.

I know Hensel<sup>88</sup> quite well. He was much esteemed by Mr. Cleveland who will properly analyze the manifestations of Wilson's mind as indicative of his character.

Note his constant use of such phrases as "I trust I may venture to congratulate you," is a sign of that mock humanity [humility?] which is evidence of hypocrisy. That he can retain any hold upon the people indicates their moral decay.

In the history of the Gold standard movement of 1896 I desire to make some things plain that may set people thinking about him.

Very truly,  
Jno. P. Irish

Boston, Oct. 19, 1915.

My dear George:

I enclose exact copy of my remarks at Albany to Miss Shaw.<sup>89</sup> She replied last Saturday night, limiting herself to comments upon my telling her to "go hang herself." That was a reporter's lie. I used no such language.

I will be in New York a good deal worn, and keenly regret that any outdoor meeting is appointed for me. A bit of

<sup>88</sup> William W. Hensel, who had served as Attorney General of Pennsylvania.

<sup>89</sup> Dr. Anna Howard Shaw, well known suffrage leader.

thoughtfulness ought to have seen the impropriety of it at this time of year.

I hope the Times will publish my Grey review.

Very truly,

Jno. P. Irish.

Boston, Oct. 22, 1915.

My dear George:

I have just received yours with enclosures. I feel so indignant that perhaps I ought not to write. I enclose a letter to Miss Chittenden,<sup>90</sup> which you will please show to Mr. Carter,<sup>91</sup> and then send to her, if you think best.

I will reach New York so utterly tired out that I will not be fit for any entertainment beyond a visit at my hotel.

I am closing 4 weeks of the most arduous campaign work of my life. As to what is thought of it here Miss Chittenden may write to Mr. Turner.<sup>92</sup>

Very truly,

Jno. P. Irish.

Oakland, Cal.,

Nov. 5, 1915.

My dear George:

I arrived home yesterday and had the election news at 9 a. m. Wednesday en route. It looks as though the East had as decisively rejected suffrage<sup>93</sup> as it did silver 19 years ago, and it is interesting that I survived to take part in both campaigns.

<sup>90</sup> Alice Hill Chittenden, president of the New York Anti-Suffrage Association.

<sup>91</sup> Franklin Carter was secretary of the Man Suffrage Association of New York City.

<sup>92</sup> Robert Turner was chairman of the Massachusetts Man Suffrage Association.

<sup>93</sup> Equal suffrage was defeated in New Jersey, Massachusetts, New York, and Pennsylvania.



If convenient will you please send me ms. of my review of Mr. Justice Guy.<sup>94</sup> I go to my ranch to-morrow to put business in shape and then will open correspondence with Colorado when I am sure a death blow to suffrage can be struck.

The elections look as though President Wilson is receding from the focus.

Defeat of the N. Y. constitution puts Senator Root out of the running, which I regret, and marks Hughes or Burton<sup>95</sup> as the winner.

Please present me to your family.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Nov. 16, 1915.

My dear George:

No law was required to secure the reading of your admirable account of your tour to visit the great dead who rest in the scenes upon which their vision opened and closed. It brings the landscape and sky very close to me, and I wish I could have been of the company. It made me feel that I had always known the Judge who was your companion, and I ask that you present me to him as an old friend.

The sketch should be published that many may read it and receive the calm and inspiring impression it left with me.

I have written Boston that the Eastern anti-suffrage must permanently organize, with ample supplies of war and be ready to take the field whenever battle is offered. I will continue this advice and get a move on them.

<sup>94</sup> This may be a typist's error for Gray. Horace Gray was a Justice of the United States Supreme Court from 1881 to 1902.

<sup>95</sup> Theodore E. Burton, of Ohio.

The talk of repeal of suffrage here is increasing and becoming bolder.

Looking to next year's election Wilson stock is getting weaker on this coast, and even in his pose as Ajax defying the war lightning I don't think he can get a coast state.

Very truly,

Jno. P. Irish.

Oakland, Cal.,

Dec. 31, 1915.

My dear George:

A committee from Colorado came here to consult me. I agree with them that the matter must be left solely to the people of that state and that outsiders must not go there to advocate suffrage repeal.

All that they want is financial assistance to start the necessary organization. They assure me that when this is done aid will come from all over the State and from men and women.

Now I have written to the Boston people of this situation and am led to believe that there will be action. I have also urged them to throw an organization into Iowa.

Our anti-cause is much strengthened by the failure of the Congressional program of Call<sup>96</sup> et als. The growing independence and resentment of members of Congress is good.

I enclose copies of a speech, one of which I wish you would send to Ret Clarkson with my affectionate regards.

A shorthand report of the speech was taken for the Iowa University and that institution has just published it and sent some copies to me.<sup>97</sup>

With the compliments of the season, shining with old memories, to you and yours.

Jno. P. Irish.

<sup>96</sup> This is not clear. It may be a typist's error for Catt, referring to Mrs. Carrie Chapman Catt, suffrage leader.

<sup>97</sup> This speech has not been located.



Oakland, California,  
January 31, 1916.

My dear George:

I think Iowa is gradually getting organized against woman suffrage. Mr. Thoner wrote me that he would go there and get the men together and Miss Dorman<sup>98</sup> has already formed a very good organization of women.

Here we are getting the fruits of suffrage. At meetings of women in Los Angeles and San Francisco promoted by leading woman politicians, the demand was made for the repeal of all laws which deny to women "freedom in indulging the mating instinct, and the right to select fathers for their children if they choose to have any."

Wilson is evidently determined to use his preparedness programme for re-election. On his present tour he gets more scared the further he comes west. By the time he reaches Cleveland he will not know "what a day may bring forth"; when he gets to Chicago he may be afraid to go to bed in the dark.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Feb. 7, 1916.

My dear George:

The report you send from Iowa is just the same as we have in all the states where suffrage lost last Fall. In Massachusetts all the newspapers, politicians, labor unions were for it, but it was beaten in every precinct but two small ones; in one it had a majority of one, and in the other of three. I should add that all the preachers were for it

<sup>98</sup> Marjorie Dorman, who campaigned in Iowa against equal suffrage preceding the vote on the proposed constitutional amendment, was a New York anti-suffrage leader. At one time she was secretary of the Women Wage-earner's Anti-Suffrage League of New York City.

also. I know it can be badly beaten in Iowa, if the means for an organization and campaign are provided.

In Iowa I would have a majority of the women on my side, as every where, except in the Mormon States.

You can give your friends this assurance for me.

We have had a very stormy year so far in California but the destructive floods have been 500 miles south of me. The rivers that concern me are the Sacramento and San Joaquin, which have had high water but no floods.

Wilson has become quite warlike. As usual he is busy pretending to do something and not doing it. His tour is not for preparedness but for politics. Now I suppose Bryan will go to bat.

Very truly,

Jno. P. Irish.

Oakland, Cal.,

March 30, 1916.

My dear George:

Thanks for your letter and interesting enclosure. I am satisfied that a month's campaign in May will defeat suffrage. My articles in opposition have secured considerable publicity there.

We had just a month in Massachusetts, with the press, politicians and preachers against us, but we shelled them elegantly.

The nomination of Mr. Root is too good to hope for. The Kaiser and Mexico are making Wilson a laughing stock and this country contemptible.

The organization of the German-American opposition to Wilson is ill-advised and should be stopped. It is unnecessary, since that element is against him any way and if continued it will drive to him votes he would not otherwise get. If you can say this where it will be heard, do it, for it is of the highest importance.

Very truly,

Jno. P. Irish.



Oakland, Cal.,  
Nov. 4, 1916.

My dear George:

My corn and bean harvest has kept me too busy for correspondence.

The pigmy and pismire campaign will soon be over. When I think of Seymour, Tilden, Cleveland, Carlisle, and the public men with whom we were associated, my gorge rises at the contrast with the brawling, bellowing gang now at the front in both parties.

The only fun I have had here is in watching the fights between the two crowds of female politicians. They meet, rival banners and hair streaming in the wind and make howls and call names. Men stand aloof.

As far as I can judge it looks now as if Wilson will win. The Republican campaign has been extremely torpid. Roosevelt has stirred it up a bit, but of the vote making character of his speeches I am in doubt. All good things be for you and yours.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Nov. 21, 1916.

My dear George:

I enclose an analysis based on investigation.

A Republican friend here says that he talked much at home about his business prosperity depending on the election of Hughes. When he met his wife on the evening of election day he asked if she had voted for President. "Oh yes" said the lady, "I voted for Wilson." "My God" he exclaimed, "why did you do that?" "Because" she rejoined "Mrs. Wilson is about to be confined and I thought it would be such a pity to beat him."

A lady tells me that one of her female intimates voted for Hughes because he looked like her dead husband, and another voted against him because he looked like her divorced husband, and a third voted against him because she did not like for a man to wear whiskers.

Can you beat it? Thus do the dear things decide great national issues.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Jan. 22, 1918.

My dear George:

What was inevitable has happened. Congress and the country have tired of the occasional descents of Jove from Olympus. The partial exposure of things have caused the President's own partisans in Congress to remember that they have responsibilities also for which the country will one day demand an accounting. They seem to realize that this is not even a party war, but is regarded as a personal war, in which the President and his family only are concerned.

I am watching the test of character with great interest. By using vituperation to Senator Chamberlain<sup>99</sup> I think the President lost the first heat in the race.

My impression is that the incident will speed up the real work needed to help win the war.

I fear that Wilson is obsessed that he can end the war by inducing a revolution in Germany and that this obsession is responsible for the lack of energy in military preparation.

<sup>99</sup> George Earle Chamberlain, Senator from Oregon, was chairman of the Senate Committee on Military Affairs during the World War. In a speech early in the war he had severely criticised the War Department and this public criticism was resented by President Wilson.



Such a revolution would be a natural result, but Germany is unnatural.

Any way Washington will be more interesting when the Great Gawd Buddah is compelled to put on gloves and trunks, enter the ring and scrap like an ordinary mortal.

Very truly,

Jno. P. Irish.

Casa Rio, Cal.,

May 24, 1918.

My dear George:

The President proposes to investigate himself, and all is well. The extension of this principle will save much time and trouble, and when the findings are accepted by the people why not let the self-investigated official re-elect himself to the position in which his conduct has deserved inquiry?

I am glad to see indications that we are speeding up a bit. Senator Chamberlain did get some pep into things, though the President did make snoots at him.

I have been much amused by the Post articles on and by Colonel House.

A mere change in the form of government has not banished the devout courtier.

I enclose some photos taken by my good Japanese farmer who has been with me 10 years.

Up here I have peace and pleasure, watching the green things grow.

Just one item bearing on domestic economy. I go out to a fishing boat in the stream and buy an 8 lb. shad for 10 cents, and beat the high cost of living.

With my best regards to you and your family.

Very truly,

Jno. P. Irish.

Oakland, Cal.,  
May 13, 1918.

My dear Parker:

This introduces my friend Mr. Chapin, principal owner of the Oakland Enquirer, and a gentleman worth knowing.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
March 3, 1919.

My dear George:

I see that the N. Y. World and Times both oppose prohibition and open their columns to its discussion.

If you can do so I wish this letter to Bryan would appear in one of those papers.

I am watching the Wilson capers with interest and anxiety. It seems to me that England is going to win the greatest diplomatic stroke in her history by the League of Nations and the payment of her war debt by Germany.

If we pay our own war debt, we release the assets of Germany for application on the war debt of England, so in effect our tax payers will pay the war debt of England!

Added to this the League of Nations obligates us to defend the British Empire.

Fine business!

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Oct. 2, 1919.

My dear George:

I am sending you, under separate cover, the Argonaut of Sept. 27th, with two remarkable articles, "The Freedom of the Seas," makes blood letting use of the worshipful bio-



graphy of Col. House. That from The Nation you may have seen.

Senator Johnson is here, speaking to immense crowds and walloping hell out of Wilson and the League of Nations.

But all the same Johnson will not be nominated for President. As I forecast next year, the Republican candidate will not be a Senator. By that time, the treaty and war sentiment will be out of focus, and the Republicans will nominate a man, not for his share in past controversies, but for his promise to extricate the country from the bag of Socialism, anarchy, fanaticism and lawlessness in which Wilson has placed it.

They will [illegible] the nomination of Gen. Wood, Gov. Lowden, or some one willing to make the test to determine whether this country is ruled by Sam Gompers, or the law.

I would be glad for this strike to go on until it ties up every activity of the whole country. That will make the test Wilson has from the start encouraged, the arrogance of union labor.

In this state all water transportation is tied up by strikes and has been for five weeks. As 75 per cent. of our tonnage is affected by water transportation you can see the result.

My warehouses at my ranch are piled full of perishable foodstuff, the product of my land, that cannot be moved to the consumer until Sam Gompers raises the embargo over shipment. I will not attempt to express my feelings.

Very truly,

Jno. P. Irish.

Oakland, Cal.,  
Aug. 31, 1920.

My dear George:

I have read with the keenest interest and pleasure your article in "The Saturday Evening Post," on the early life

of Mr. Cleveland. In admirable style it sketches the laying of the foundation of a character that will brighten our history and grow brighter as the years go by.

When we remember that he never used his origin, nor the incidents of his childhood for political effect, but at every stage of his useful and remarkable career, stood for what he was and for what he believed, and for the right as he saw it, how striking is the contrast between him and the public men of to-day! Each pleads some tawdry element, some common incident, some preference for something unimportant as an index of character, in his craze for expediency and sordid prostration for votes.

The campaign here is dead as Lazarus, and no touch is in sight that can raise the dead. A few bawling women are yowling about measures which if adopted would undermine the government, and local candidates are slobbering their approval and that is about all.

I think the perjury of the Tennessee<sup>100</sup> legislature has finished the destruction of state rights and slaughtered the element of personal honor. What a pity that the great dust of Andrew Jackson has to rest under the sod of a state so craven.

Very truly,

Jno. P. Irish.

Oakland, Cal.,

Feby. 28, 1921.

My dear George:

I read with keenest interest your article in the January

<sup>100</sup> The Tennessee legislature ratified the Nineteenth Amendment to the United States Constitution on August 24, 1920, at a special session called by the Governor. Opponents of equal suffrage claimed that this was illegal since the Tennessee State Constitution, it was asserted, provided that the legislature should not pass on ratification of amendments until after a popular election. The Supreme Court of the United States, however, in the Ohio referendum case, had held that a requirement for a referendum was unconstitutional and Tennessee went ahead with ratification.



"Forum".<sup>101</sup> It is the finest job of psychological surgery that has appeared.

The country has been so be-devilled for the last eight years that no one can foresee the immediate future. Here the conditions are what might be expected from the rule of demagogues. Since 1910 the politicians before every election have raised an anti-Japanese howl to divert the attention of the people, and succeeded again last November. Now the legislature has met and sprung the trap. The people have hastily organized when it is too late and are begging the politicians for mercy.

The enclosed slip discloses the situation. Following up the increase in the cost of state government local taxes on farm land now amounts to 12 per cent. on the gross income of farm property. The people have lost the power to think straight. I am still fighting the anti-Japanese agitators and at least get occupation and amusement out of it, and also anonymous letters threatening my life.

Well I seem to have been born to face the storm. I hope you are in health and vigor. It is 53 years since we first met and the world was young.

Very truly,

Jno. P. Irish.

Oakland, Cal.,

July 30, 1922.

My dear George:

I expect to leave soon for Japan and to be there during September. My address will be always at the American Legation. I expect to meet my partner Mr. Penfield in Tokio and also to meet you. It will be a new and rare experience to me for I have never been out of the country before.

I am disturbed by Harding's<sup>102</sup> inconclusive and rather

<sup>101</sup> *Cleveland View of 1920.*

<sup>102</sup> President Warren G. Harding.

cowardly settlement of the R. R. strike. The only object of government is the equal enforcement of the law. If that had been done and mob murders and injury to property promptly punished the strike would have stopped in a week. The settlement may make some votes but it should lose 1000 to one gained.

Very truly,  
Jno. P. Irish.

Oakland, Cal.,  
Aug. 25, 1923.

Dear George:

I am trying to make one plain, straight issue on the Japanese question, upon which all other possible issues will impinge and which will permanently settle them all, if adopted, or leave them all unsettled, if rejected.

The Japanese children who are born here, are citizens of the United States, and require no naturalization. Our California politicians propose an amendment to the Federal Constitution denying birthright citizenship to Japanese. If adopted that could affect only those born after the adoption, as it could not be retroactive. Such a foolish proposition need not be discussed.

Keeping in mind then that the birth right citizenship needs no naturalization, as it is conferred directly by the Constitution, the only question we have to consider is the statutory change required to confer citizenship upon the natives of Japan who are legally domiciled here. It is not a new question. A great mass meeting in Boise, Idaho, in January, 1921, demanded it. Prof. McGovney, leading teacher in the University Law Dept. of Iowa has demanded it and backed his arguments for it beyond successful attack. The first step toward its accomplishment is an expatriation treaty with Japan. That will be followed by an amendment to our



statute of naturalization. The adoption of this course will adjust our Japanese relations permanently and establish lasting peace with that Empire.

I wish you would write to Prof. D. O. McGovney, University Law Dept., Iowa City, for his two articles on our Naturalization law.

You note certain peculiarities of the Japanese in discussing their relations with us. No wonder they exist, when we consider the offensive and trying peculiarities we disclose in our consideration of the questions that mutually concern the two nations.

Did I send you my discussion of this question which was published in the San Francisco Chronicle?

Very truly,  
Jno. P. Irish.

## SOME PUBLICATIONS

The April issue of *The Catholic Historical Review* includes *The Ecclesiastical Rule of Old Quebec in Mid-America*, by Gilbert J. Garraghan.

*Native American Anarchism*, by Eunice Minette Schuster, has been published in *Smith College Studies in History* for October, 1931–July, 1932.

An article of interest to Iowans is B. R. Stauber's *The Farm Real Estate Situation, 1931-32*, printed as Circular No. 261, January, 1933, by the United States Department of Agriculture.

The April number of *The Florida Historical Society Quarterly* contains the following articles: *Anthropology in Florida*, by Rhea M. Smith; *Walker Anderson, 1801–1857*, by Julia J. Yonge; and *The First Session of the Legislative Council of Florida*.

*John Macpherson Berrien*, by Alexander R. MacDonell; *Coaling the Confederate Commerce Raiders*, by Harrison A. Trexler; *Geographic Factors in Georgia Politics in 1850*, by Z. T. Johnson; and *The Exclusion of the Scotch from Georgia*, by John M. Graham, are articles in the March number of *The Georgia Historical Quarterly*.

*Attempts to Improve Cattle Breeds in the United States, 1790–1860*, by Charles T. Leavitt; *Futures Trading with Particular Reference to Agricultural Commodities*, by Arthur G. Peterson; and *Agrarian Reform before Post-War European Constituent Assemblies*, by V. Alton Moody, are the three articles appearing in the April number of *Agricultural History*.

The April number of *The American Historical Review* contains an account of the Toronto meeting of the American Historical Association and two articles: *The Epic of Greater America*, by Herbert E. Bolton; and *The Formation of the New East India Company of Calonne*, by Frederick L. Nussbaum. Shorter contri-



butions are: McClellan's *Changing Views on the Peace Plank of 1864*, by Charles R. Wilson; *Navassa, a Forgotten Acquisition*, by Roy F. Nichols; and *The Lyons-Seward Treaty of 1862*, contributed by A. Taylor Milne.

#### WESTERN AMERICANANA

The April issue of the *Indiana History Bulletin* describes the historical museums of Indiana.

A monograph of interest to Iowans is *Railroad Consolidation West of the Mississippi River*, by Stuart Daggett, issued as No. 2 of Vol. II, of the *University of California Publications in Economics*.

The April number of *The Filson Club History Quarterly* contains the following articles: *Dr. C. C. Graham, 1784-1885*, by Brent Altsheler; and *David Barrow and his Lulbegrud School, 1801*, by Asa C. Barrow.

The February issue of the *Indiana History Bulletin* contains an article by Glenn A. Black entitled *The Archaeology of Greene County*. The March number contains the *Proceedings of the Fourteenth Annual Indiana History Conference* held at Indianapolis on December 9-10, 1932.

*Currency, Coinage and Banking in Pioneer Colorado*, by LeRoy R. Hafen; *General Sedgwick and Recollections of Fort Sedgwick*, by William H. Bisbee; *Mountain Men — George Nidever*, as related by himself to E. F. Murray; and *Victor, Colorado — "The City of Mines"*, by S. E. Poet, are articles and papers in the May issue of *The Colorado Magazine*.

*When Texas Owned New Mexico to the Rio Grande*, by F. S. Donnell; *Causes of the Confederate Invasion of New Mexico*, by Charles S. Walker; *The First Civil Governor of New Mexico Under the Stars and Stripes*, by Paul A. F. Walter; and *El Payo de Nuevo-Mejico*, by Douglas C. McMurtrie, are articles in the April number of the *New Mexico Historical Review*.

*A Critical Study of the Siege of the Alamo and of the Personnel*

of its Defenders, by Amelia Williams; *Daniel Webster and Mexican Relations: The Santa Fe Prisoners*, by R. Earl McClendon; and the twenty-seventh installment of the *Diary of Adolphus Sterne*, edited by Harriet Smither, appear in the April number of the *Southwestern Historical Quarterly*.

## IOWANA

*Thirty Years of Vespers*, by H. W. Matlack, is one of the articles of historical interest in *Grinnell and You*, April, 1933.

Jno. D. Stewart has written a small brochure entitled *For August 14, 1932 Norway, Old Settlers' Anniversary, or Homecoming*.

*A City Manager Views the Library*, an address by P. F. Hopkins, is published in the *Iowa Library Quarterly* for January-February-March, 1933.

The *Medical History of Polk County*, by Walter L. Bierring, has been printed in *The Bulletin of the Des Moines Academy of Medicine* for September, October, November, and December, 1932.

*The Green Tree*, by Fritiof M. Fryxell, has been published by the Augustana Book Concern of Rock Island. It is the story of the great elm at Le Claire, Iowa, under which young William F. Cody played as a boy.

*Jesse Macy: An Autobiography*, edited and arranged by his daughter, Katherine Macy Noyes, has just been published by Charles C. Thomas of Springfield, Illinois. Jesse Macy was Professor of Political Science at Grinnell College from 1885 to 1912.

The April number of the *Journal of the Iowa State Medical Society* contains the following articles and papers: *The History of Medicine in Lucas County*, by Tom Morford Throckmorton and Tom Bentley Throckmorton; and *Commemoration of the Two Hundredth Anniversary of the Birth of Joseph Priestley*, by Walter L. Bierring. The May number contains the following: *First Des Moines Meeting of the Iowa State Medical Society*, February 5-6, 1868; and a continuation of *The History of Medi-*



*cine in Lucas County*, by Tom M. Throckmorton and Tom B. Throckmorton.

SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Aumann, Francis Robert,

*Lawyer and His Troubles* (North American Review, April, 1933).

Bailey, Belle,

*Stories of the Beginning of Delaware County* (Privately printed).

Beer, Thomas,

*Milk and Honey* (The Saturday Evening Post, March 4, 1933).

Bierring, Walter L.,

*Medical History of Polk County* (The Bulletin of the Des Moines Academy of Medicine, September, October, November, December, 1933).

Buchanan, Archibald, (Joint author)

*A Contribution to Vowel Theory* (Science, January 27, 1933).

Butler, Ellis Parker,

*The Young Stamp Collector's Own Book*. Indianapolis: Bobbs-Merrill Company. 1933.

Butler, Ellis Parker, (Joint author)

*Jo Ann, Tomboy*. Boston: Houghton Mifflin Company. 1933.

Carr, O. E.,

*Management Economies in Oakland* (Public Management, April, 1933).

Carver, Thomas Nixon,

*Technocratic Terror* (Current History, March, 1933).

Childs, Marquis W.,

*Youth and the Pelican* (The Yale Review, Spring, 1933).

Cook, Elizabeth, (Mrs. Louis H. Cook)

*My Passionate Past* (The Delineator, April, 1933).

Corey, S. A.,

*A Method of Solving Numerical Equations* (Reprinted from the American Mathematical Monthly, March, 1933).

Crowell, Grace Noll,

*Poem for a Bedroom Wall* (Good Housekeeping, April, 1933).

Curme, George Oliver,

*Award of the Chandler Medal* (Science, January 20, 1933).

Devine, Edward Thomas,

*Progressive Social Action*. New York: The Macmillan Company. 1933.

Drury, Marion R.,

*Reminiscences of Early Days in Iowa*. Toledo, Iowa: Toledo Chronicle Press. 1931.

Dutton, Charles Judson,

*Circle of Death*. New York: Dodd, Mead and Company. 1933.

Earhart, Amelia.

*Part of the Fun of It* (House and Garden, April, 1933).

Ensign, Forest C.,

*Progress in Iowa Education* (Midland Schools, May, 1933).

Eriksson, Erik McKinley, (Joint author)

*American Constitutional History*. New York: W. W. Norton and Co., Inc. 1933.

Gabrielson, Ira Noel,

*Late Summer Bloom in the Rockery* (American Home, March, 1933).

Gillin, John Lewis,

*Social Pathology*. New York: Century Co. 1933.

Grahame, Russell C.,

*The Receipt of Tax-Exempt Income as a Reason for Decreasing Tax Exemptions* (Iowa Law Review, March, 1933).



Hagmann, Elizabeth Pleger,

*The Companionships of Preschool Children* (University of Iowa Studies in Child Welfare, Vol. VII, No. 4). Iowa City: State University of Iowa. 1933.

Hall, James Norman,

*Lives That Authors Lead* (The Bookman, March, 1933).

*State of Being Bored* (The Atlantic Monthly, March, 1933).

Hart, Hornell Norris,

*Changing Opinions About Business Prosperity* (American Journal of Sociology, March, 1933).

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#### SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Sketch of the life of Joseph Wallace, Hardin County pioneer, in the *Union Star*, March 16, 1933.



Fred Yocum has large collection of Indian relics, in the *Harrison County* (Logan) *Herald*, March 16, 1933.

Leon and Decatur City fought for county seat, in the *Decatur County* (Leon) *Journal-Reporter*, March 16, 1933.

Profile of human face found in rock slab near Tracy, in the *Knoxville Journal*, March 16, 1933.

Genealogical record of Washington County, by Mrs. C. A. Speer, in the *Washington Democrat-Independent*, March 16, 23, 30, April 6, 13, 20, 27, May 4, 11, 1933.

Early days in Keokuk County described in yellowed letters, in the *Clinton Herald*, March 17, 1933.

The career of Captain Jerome E. Short, by Fred A. Bill, in the *Clinton Herald*, March 18, 1933.

John H. Floyd ran Pin Oak Tavern in Dubuque County, in the *Dubuque Telegraph-Herald*, March 19, 1933.

Roy Friedel unearths Siouan village site, in the *Burlington Hawk-Eye*, March 19, 1933.

Kate W. Moore began career in Dubuque Lumber Company, in the *Marshalltown Times-Republican*, March 20, 1933.

Mrs. J. P. Schnabell recalls early social life in Sioux City, in the *Sioux City Journal*, March 22, 1933.

Dutch found Iowa a bountiful State in 1848, in the *Sheldon Mail*, March 22, 1933.

Sketch of the life of E. O. Helgason, in the *Estherville News*, March 22, and the *Estherville Vindicator and Republican*, March 23, 1933.

Rock Rapids scrip money in demand throughout nation, in the *Emmetsburg Democrat*, March 23, 1933.

A tale of the Okoboji, by Inez Phippin, in the *Spirit Lake Beacon*, March 23, 1933.

Lewis O. Williams recalls steamboat voyage to Mills County in 1864, in the *Glenwood Opinion-Tribune*, March 23, 1933.

N. B. Baker, Clinton pioneer, declined presidency, in the *Clinton Herald*, March 23, 1933.

The *Yolo* was the first and last steamboat on the Grand River, in the *Decatur County (Leon) Journal-Reporter*, March 23, 1933.

Pioneer Dubuque through the eyes of visitors, by I. J. Semper, in the *Dubuque Telegraph-Herald*, March 24, 1933.

"Dick" Colwell, former slave, dies at Shenandoah, in the *Shenandoah Sentinel*, March 25, 1933.

Phil Carspecken, abstractor, finds old records of Burlington, in the *Burlington Hawk-Eye*, March 26, 1933.

Brookings Institution will conduct survey of Iowa government, in the *Des Moines Register*, March 26, 1933.

Sketch of the history of the *Creston News Advertiser*, in the *Creston News Advertiser*, March 27, 1933.

History of Red Oak military organizations recalled, in the *Red Oak Express*, March 27, 1933.

Stories of pioneer days, by A. M. Williamson, in the *Ruthven Free Press*, March 29, 1933.

Stephen Gullickson and William Slater were successful gold miners, by Ed Henderson, in the *Lake Mills Graphic*, March 29, 1933.

T. G. Pelton built many raft boats, in the *Clinton Herald*, March 29, 1933.

"Seven Gables" was first summer cottage built on Okoboji, by Hattie P. Elston, in the *Spirit Lake Beacon*, March 30, 1933.

Story of Des Moines River land, in the *Keosauqua Republican*, March 30, April 6, 1933.

Allen Scott came to Decatur County in 1839, by Lela Kirk Parker, in the *Decatur County (Leon) Journal-Reporter*, March 30, 1933.

Early experiences of Fairfield bird students, by Mrs. C. J. Fulton, in the *Fairfield Ledger*, March 31, 1933.



C. V. Phillips finds Maquoketa spelled many ways, in the *Jackson (Maquoketa) Sentinel*, March 31, 1933.

Adeliza Daniels home has many antiques, by Jean Stout, in the *Marion Sentinel*, March 31, 1933.

Mr. and Mrs. W. E. Jennings recall hard times in early Iowa, in the *Centerville Iowegian*, April 1, 1933.

Mrs. A. M. Van Allen tells of early days in Mount Pleasant, in the *Mount Pleasant News*, April 1, 1933.

Mrs. Stella Torkelson was first baby girl born in Sioux Rapids, in the *Sioux City Journal*, April 2, 1933.

Sketch of the life of William Larrabee, Jr., in the *Cedar Rapids Gazette*, April 2, and the *Elgin Echo*, April 6, 1933.

J. P. Miller came to Floyd County in 1869, in the *Charles City Press*, April 3, 1933.

J. Howard Pearson recalls early bands in Iowa, in the *Marshalltown Times-Republican*, April 4, 1933.

A reminiscence of forty-five years, in the *Council Bluffs Nonpareil*, April 4, 1933.

Early days in Fayette County, in the *West Union Argo Gazette*, April 5, 12, 1933.

Bitter rivalry for Clinton county seat, in the *De Witt Observer*, April 6, 1933.

Brewery established at Hamburg in 1867, in the *Hamburg Reporter*, April 6, 1933.

Tommy McElroy was drummer boy at Shiloh, in the *Marshalltown Times-Republican*, April 6, 1933.

Earthquake felt at Washington in 1895, in the *Washington Democrat-Independent*, April 6, 1933.

Ellis D. Robb has large collection of autographed pictures of national and international celebrities, in the *Marshalltown Times-Republican*, April 6, 1933.

History of Floete Mansion on West Okoboji, by Hattie P. Elston, in the *Spirit Lake Beacon*, April 6, 1933.

Sigourney named after American poet, by C. L. Lucas, in the *Madrid Register-News*, April 6, 1933.

H. T. Cook has large maple sugar orchard in Boone County, in the *Madrid Register-News*, April 6, 1933.

C. A. Cherrington has large collection of coins, in the *Decatur County (Leon) Journal-Reporter*, April 6, 1933.

Four thousand donate to O. M. Hartzell defense fund, in the *Des Moines Register*, April 6, 1933.

Early days in Sioux City portrayed by Mrs. Cora Rulo Shane, by Editha K. Webster, in the *Sioux City Journal*, April 9, 1933.

Sketch of the career of Chauncey Joy, by Fred Lewis, in the *Sioux City Journal*, April 9, 1933.

Old Hopkins place on East Okoboji has large collection of guns and Indian curios, in the *Spirit Lake Beacon*, April 13, 1933.

George M. Jacobs has two J. O. Crosby maps of Clayton County dated 1857, in the *Guttenberg Press*, April 13, 1933.

How "Tama Jim" Wilson became Secretary of Agriculture, by H. G. McMillan, in the *Traer Star-Clipper*, April 14, 1933.

Sketch of the life of W. B. Seeley, in the *Des Moines Register*, April 16, 1933.

Sketch of the life of C. A. Meredith, in the *Atlantic News-Telegraph*, April 20, 1933.

History of the Florence Crittenton Home in Sioux City, by Mrs. L. E. A. Smith, in the *Sioux City Tribune*, April 20, 1933.

L. D. Potter heard Lincoln-Douglas debate at Freeport, in the *Oskaloosa Herald*, April 20, 1933.

Albert H. Crandall has lived in Shelby County nearly eighty years, in the *Denison Bulletin*, April 20, 1933.



## HISTORICAL ACTIVITIES

The Minnesota Historical Society, in coöperation with other State agencies and the local historical societies, sponsored State-wide celebrations of Minnesota's diamond jubilee during the week of May 7-13, 1933.

The twenty-sixth annual meeting of the Mississippi Valley Historical Association was held at Chicago, Illinois, on April 13-15, 1933. The papers in the formal program were grouped under the following heads: Religion in Illinois, Social and Economic History, Illinois Politics, Frontier History, Wilkinson's Career, The West and the Southwest, The Indians and the Fur Trade, and The History of Chicago. Conferences were held on the teaching of the social sciences, the discussions centering on economics, philosophy, political science, and sociology. Herbert A. Keller presided at the Conference of Historical Societies on Saturday, April 15th, where the following papers were read: "Possibilities of an Historical Museum", by Russell H. Anderson; "Collections of Historical Manuscripts in Illinois", by Paul Angle; "Ways and Means in a Manuscript Division", by Grace Lee Nute; "The Film Method of Reproducing Historical Material — Its Advantages and Problems", by James A. Barnes. In addition to the formal program those in attendance made a tour of the Century of Progress Exposition. One of the sessions was held in the new building of the Chicago Historical Society. At the business session, Jonas Viles, of the University of Missouri, was elected president of the Association. The next spring meeting will be held at the University of Missouri at Columbia.

### IOWA

The spring meeting of the Iowa Catholic Historical Society was held at Cedar Rapids on April 26, 1933.

A temporary organization, the nucleus of an historical society

for Warren County, was effected at a meeting held in the office of Mayor C. C. Briggs at Indianola, on March 21, 1933.

The Howard County Historical Society met at the Cresco Public Library on Monday evening, April 10, 1933. The discussion centered around an old township record book.

The Marshall County Historical Society held its regular annual meeting on Tuesday evening, April 11, 1933, at the Binford House. A. A. Moore was reëlected president, Mrs. E. M. Singleton was reëlected secretary, and Mrs. Minnie J. Pendleton was named treasurer.

Fifty organizations were represented at the first meeting of the general committee of the Burlington Centennial celebration held at the Hotel Burlington on March 23, 1933. The executive committee is composed of Mark A. Walsh, chairman, Thomas Green, and J. Tracy Garrett.

A tentative program of the Dubuque Centennial (August 6-12, 1933) has recently been issued. Exhibitions of Indian tribal art, paintings and drawings of historic Dubuque, and historical window displays will be featured throughout the week. Band concerts, drills, athletic events, fireworks, tours of historic sites, and pageants will form the bulk of the program.

The 29th annual meeting of the Madison County Historical Society was held on March 7, 1933, in the courthouse at Winterset. Mrs. Fred Hartsook read a paper on "Covered Bridges of Madison County". Officers chosen for 1933 were as follows: president, H. A. Mueller; vice president, W. S. Cooper; secretary, E. R. Zeller; directors, W. F. Craig, S. A. Hays, Mrs. Will Blake, and Geneva Campbell.



## NOTES AND COMMENT

The Methodist Church at Denison observed its 75th anniversary on April 9, 1933.

The First Baptist Church of Emerson celebrated its sixtieth anniversary on April 5, 1933.

Professor L. B. Schmidt, head of the Department of History and Government at Iowa State College, has been elected president of the Agricultural History Society for the year 1933-1934.

Work is under way to establish a State Park on the northern shore of Spirit Lake just east of Crandall's lodge. It was at this point that J. N. Nicollet is said to have made the first geographical observations in northwestern Iowa.

Two noted Iowans, James D. Edmundson and Major S. H. M. Byers, died recently. Mr. Edmundson died on April 18, 1933, at Des Moines at the age of ninety-four. A sketch of his life, written by James B. Weaver, was published in the January, 1933, number of "The Palimpsest". Major Byers died at Los Angeles on May 24, 1933, also ninety-four years of age. Two brief accounts of his career, by Ruth A. Gallaher, together with his poem "Iowa", appeared in "The Palimpsest" for November, 1932. Byers and Edmundson had been lifelong friends.

## CONTRIBUTORS

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## THE FIRST HUNDRED YEARS

### A BRIEF HISTORY OF IOWA

The year 1933 marks the end of the first hundred years of Iowa history, for it was on June 1, 1833, that the Black Hawk Purchase became part of the public domain of the United States. As Iowa begins the second century and faces new problems, it may be worth while to review briefly some of the accomplishments of the men and women who established the Commonwealth and have maintained it for a hundred years.<sup>1</sup>

### PREHISTORIC IOWA

Although Iowa, as an area occupied by white people, is young, the land itself is old, older than the hills, older than the mind of man can determine. The story of this dim distant past is, however, partially told in the rocks:

Millions of years ago the ocean covered what is now the Mississippi Valley. As the waters of the sea became more shallow, the remains of countless shell-covered animals collected on the bottom and were overlaid by sand and clay. Under pressure, the animal deposits became limestone,

<sup>1</sup> It is, of course, impossible to give a satisfactory history of Iowa in a few pages. This article is intended to give perspective and to suggest additional reading for those interested. Fortunately the material on Iowa history is plentiful and, for the most part, easily obtainable. A large number of references on specific topics may be found in Petersen's *Two Hundred Topics in Iowa History*, published in 1932 by the State Historical Society of Iowa at Iowa City as *Bulletin of Information*, No. 15. THE IOWA JOURNAL OF HISTORY AND POLITICS (completing its thirty-first volume with this issue) and *The Palimpsest* (fourteen volumes), also published by the State Historical Society, contain articles on almost all phases of Iowa history. The footnotes to this article are intended to assist the reader in locating additional material on the subject.



while the clay turned into shale and the sand into sandstone. During one period of elevation above the sea, water trickling through the rocks in the vicinity of Dubuque left particles of lead in the crevices, forming the deposits of lead ore.

At times the climate became tropical and giant trees and ferns grew in the swamps left by receding seas. These died and fell, their trunks, stems, and leaves forming a thick layer over the bottoms of the swamps. Layers of clay and sand were washed into the swamps and covered the remains of these giant plants. Again the clay hardened into shale or slate, and the sand into sandstone, while what was left of the plants became coal.

In some places in these inland seas, beds of gypsum were left as the water evaporated from salt marshes and this formed a soft, gray rock now used for plaster or stucco. In Webster County there are sixty or seventy square miles of land underlaid with gypsum beds from twenty-five to thirty-five feet thick.

At least five times in succession great ice sheets, half a mile or more in depth, covered the whole or some part of Iowa. As each one melted it left a deposit of powdered rock, sprinkled here and there with granite boulders. In the time between these great ice sheets the climate was temperate. Plants grew and their remains mingled with the glacial deposits to make the deep, rich soil of Iowa.

There were no men in Iowa in this distant past, but when the climate was not too cold, strange animals roamed over the land, among them the mastodon. These animals had disappeared long before man came to the region, but occasionally their fossil remains are found embedded in the rocks or in gravel pits.<sup>2</sup>

<sup>2</sup> Briggs's *Iowa in the Beginning* in *The Palimpsest*, Vol. V, pp. 353-356; Lees's *Geography and Topography of Northeastern Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXI, pp. 3-30.

## THE INDIANS OF IOWA

The Indians, it is thought, first appeared in Iowa long after the last ice sheet disappeared and hundreds of years before the white men came. The earliest remains of the prehistoric Indians are found in the mounds and in their dwelling places in the caves and under the cliffs along some of the streams in various parts of Iowa. The mounds are of different shapes and sizes, some resembling animals. Large numbers of them may still be found in northeastern Iowa not far from the Mississippi River, but many of them have already disappeared beneath the farmer's plow.<sup>3</sup>

How many tribes of Indians have lived on the land now included in the State of Iowa we do not know. When white men came to Iowa, at the beginning of the nineteenth century, the Sauk and Fox Indians were living on both banks of the Mississippi River. The Ioways, from whom the State derived its name, hunted and fished along the Des Moines River. Otoes, Omahas, and Missouris lived on the Missouri River slope. The Sioux wandered over the prairies in the north and northwest. The Mascoutin Indians who had once lived near the mouth of the Iowa River gave the name to the island, county, and city of Muscatine.

These Indians did not own the land as private property, but claimed certain areas as their tribal hunting grounds. Usually they lived in small, temporary villages along the rivers, in tepees or wickiups made of bark or skins. The men supplied the necessary fish and game and did the fighting. The squaws built the tepees, did the cooking and

<sup>3</sup> Keyes's *Prehistoric Men in Iowa* in *The Palimpsest*, Vol. VIII, pp. 185-229; Keyes's *Shall Iowa Have National Monuments* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXI, pp. 31-46; Keyes's *Progress of the Archeological Survey of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXIII, pp. 339-352. An interesting collection of archeological remains from northeastern Iowa, collected by Ellison Orr, has recently been donated to the State Historical Society of Iowa.



sewing, and raised small patches of corn, beans, pumpkins, and potatoes. Each village was, for the most part, both politically and economically independent of the others.<sup>4</sup>

White traders soon appeared at the Indian villages and the natives were glad to sell their furs and buy such things as guns, powder, traps, knives, blankets, cooking utensils, mirrors, calico, and whisky. Some of these traders took Indian wives. There were soldiers, too, at frontier forts, explorers, and government officials of various nationalities. Some of these men also entered into temporary marriages with Indian women.

In 1824, as a provision for the children of such unions, the Sauk and Fox Indians made their first relinquishment of land in what is now Iowa, giving to the half-breeds of the tribes the triangle of land between the Des Moines River and the Mississippi River south of the parallel which now marks the southern boundary of Iowa. This came to be known as the Half-breed Tract.

The Half-breed Tract soon became the center of litigation and dispute. In 1834 Congress passed a law granting to the half-breeds the fee simple title to the land with power to convey, and at once there was a rush of speculators to secure bargains. Since neither the Indians nor Congress made provision for any distribution of this land, the half-breeds sold claims and lands without much regard to titles. Land companies bought many of these claims. White settlers "squatted" on the lands. The title to much of this area soon became so confused that it was not until December, 1850, that the final decision was rendered by the Supreme Court of the United States. By this time, the half-breeds had been almost entirely eliminated from the

<sup>4</sup> For brief accounts of the Indians in Iowa see the Indian number of *The Palimpsest*, Vol. IX, pp. 33-88, and Fulton's *The Red Men of Iowa*. For additional references on Indians see Petersen's *Two Hundred Topics in Iowa History*, pp. 14-19.

claimants, for they had long since sold their rights to settlers or land companies.<sup>5</sup>

Intoxicating liquor proved to be a deadly enemy of the red men. A drunken Indian was likely to kill his friends or his family. By giving the Indians liquor the traders could cheat them, and even government officials found they could more easily secure land cessions if the Indians were first given "fire water". The giving or selling of liquor to the Indians was for many years prohibited by the United States government, but this law was difficult to enforce and was often openly violated.<sup>6</sup>

The United States government attempted to supervise the white traders among the Indians and at one time tried a system of sales by the government. It also adopted the practice of keeping soldiers at convenient points to help enforce the law and protect white people on the frontier. In 1808 Fort Madison was begun on the site of the present city of that name. The Indians felt that this fort was the forerunner of permanent occupation by the Americans and several times tried to capture it. Finally, during the War of 1812, the American garrison was compelled to destroy and abandon the fort.<sup>7</sup>

During this war, too, a force of English and Indians made an attack on some soldiers under Major Zachary Taylor en route to Prairie du Chien. A battle was fought

<sup>5</sup> Van der Zee's *The Half-breed Tract* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XIII, pp. 151-164; Wick's *The Struggle for the Half-Breed Tract* in the *Annals of Iowa* (Third Series), Vol. VII, pp. 16-29; Swisher's *The Half-breed Tract* in *The Palimpsest*, Vol. XIV, pp. 69-76.

<sup>6</sup> Gallaher's *Indian Agents in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XIV, pp. 348-394, 559, 596; Parish's *Liquor and the Indians* in *The Palimpsest*, Vol. III, pp. 201-213.

<sup>7</sup> Van der Zee's *Old Fort Madison in Iowa and War*, No. 7, January, 1918. For additional information concerning forts in the Iowa country see Van der Zee's *Forts in the Iowa Country* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XII, pp. 163-204.



at Credit Island (now a park in the city of Davenport) and the Americans were compelled to retreat down the river.<sup>8</sup>

By 1832 white men were making farms on the east bank of the Mississippi River and the Sauk and Fox Indians were forced to cross the river, leaving their cornfields at the mouth of the Rock River to the white settlers. Black Hawk claimed that the treaty of 1804 ceding this land to the whites had been illegally signed and he and his band made a futile attempt to regain their cornfields. They were defeated and were compelled to give up a strip of land west of the Mississippi — in addition to their lands in Illinois. This came to be known as the Black Hawk Purchase.<sup>9</sup>

Within twenty years the Indians were compelled to give up their title to all the land in Iowa. Keokuk's Reserve on the Iowa River was ceded in 1836 for the sum of \$178,458.-87½. A year later an additional million and a quarter acres of land was added to the Black Hawk Purchase, at a cost of \$377,000. The Sauk and Fox Indians, by a treaty signed in 1842, were compelled to give up about one-sixth of the area of Iowa by May 1, 1843, and to withdraw across the Missouri River in 1845. The Pottawattamie Indians, who had been given lands in southwestern Iowa, were moved to Kansas in 1846. The Winnebago Indians had been settled in what was called the Neutral Ground, a narrow strip of land in northeastern Iowa ceded as a buffer strip by the Sioux and the Sauk and Fox in 1830. By a treaty signed in 1846, the Winnebagoes were moved to

<sup>8</sup> Van der Zee's *Fur Trade Operations in the Eastern Iowa Country from 1800 to 1833* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XII, p. 515; *Life of Black Hawk* (Reprint by the State Historical Society of Iowa), pp. 60, 61.

<sup>9</sup> For the story of the Black Hawk War see Engle's *Futile Defiance* in *The Palimpsest*, Vol. XIII, pp. 55-73. For the treaty of 1832 see Petersen's *The Terms of Peace* in the same number, pp. 74-89. *The Life of Black Hawk* gives the story from the side of the Indians.

Minnesota. The Sioux retained their hunting grounds in the north and northwest until 1851 when they too were forced to cede their lands to the government.<sup>10</sup>

Two later incidents connect the Indians with Iowa. The story of these events belongs to a later period in the history of the State, but may be told here. One of these was the tragic Spirit Lake Massacre. In the summer of 1856, a number of white families settled in the region around the Okoboji lakes and Spirit Lake. The following spring a band of Sioux Indians, wandering through the region, killed more than thirty of the settlers and carried off three women and a girl as prisoners. Two of the prisoners were later killed. One woman and the girl — Abbie Gardner — were freed by the payment of a ransom.<sup>11</sup> The perpetrators of this massacre were never punished.

About the same time some Sauk and Fox Indians came back to their beloved Iowa. But they came in peace, asking only to hunt and fish on unoccupied lands. In 1856 the Iowa legislature passed a law permitting a band of these homesick Indians to remain in Tama County and in 1857, with the assistance of some of the tribe recently come from Kansas and Governor James W. Grimes, they bought eighty acres of land in Tama County for one thousand dollars — received from the United States government in the form of annuities. There are now about 360 of these Indians, mostly Foxes, and they own nearly four thousand acres of land along the Iowa River. The United States government at first refused to help them in any way unless they returned to Kansas, but later they were paid their

<sup>10</sup> For the cessions of Indian lands in Iowa see Aumann's *Dispossession of the Tribes* in *The Palimpsest*, Vol. IX, pp. 56-61; Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 146-153. For details of the Neutral Ground see Van der Zee's *The Neutral Ground* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIII, pp. 311-348; Barrow's *In the Neutral Ground* in *The Palimpsest*, Vol. III, pp. 106-124.

<sup>11</sup> Teakle's *The Spirit Lake Massacre*.



annuities and furnished schools and medical care. This is often called the Tama Indian reservation, but it is, in fact, owned in fee simple by the Indians and is not a reservation. The United States government does, however, act as trustee.<sup>12</sup>

#### EXPLORATIONS AND FIRST SETTLEMENTS

The first white men to look upon the territory now included in Iowa were a party of Frenchmen who had come from Lake Michigan to explore the Mississippi River. It was in June, 1673, that Father Jacques Marquette, a Jesuit missionary, and Louis Joliet, an explorer, with several companions, paddled their canoes down the Wisconsin River into the Mississippi. Seeing footprints on the west bank, they stopped and followed a path which led them to a village of Illinois Indians who had crossed the Mississippi to hunt. The exact location of this village is uncertain, but it was probably near the mouth of the Iowa River. The Frenchmen remained a few days, then went on down the river.<sup>13</sup> In 1685, Nicolas Perrot, also a Frenchman, came to trade on the Upper Mississippi and erected a trading post at Prairie du Chien and another opposite the present site of Dubuque.<sup>14</sup>

In 1735 a detachment of French soldiers pursued some Sauk and Fox Indians as far west as the present site of

<sup>12</sup> Gallaher's *The Tama Indians* in *The Palimpsest*, Vol. VII, pp. 44-53; Gallaher's *Indian Agents in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIV, pp. 577-596; Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 162-168.

<sup>13</sup> Mahan's *The Discovery of Iowa* in *The Palimpsest*, Vol. IV, pp. 215-228; Weld's *Joliet and Marquette in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. I, pp. 3-16.

<sup>14</sup> Van der Zee's *French Discovery and Exploration of the Eastern Iowa Country Before 1763* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XII, pp. 323-354; Petersen's *Perrot's Mines* in *The Palimpsest*, Vol. XII, pp. 405-413; Salter's *Nicolas Perrot* in the *Annals of Iowa* (Third Series), Vol. IV, pp. 610-613.

Des Moines.<sup>15</sup> Traders entered the country to trade with the Indians,<sup>16</sup> but it was not until after the Revolutionary War that the first white man established a home in Iowa. This was Julien Dubuque who crossed the Mississippi River in 1788 to work the lead mines from which the Fox Indians were already taking out small quantities of ore. At this time all the territory west of the Mississippi River belonged to Spain and in 1796 Dubuque received from the Spanish Governor a grant of land, including the lead mines, which he named the "Mines of Spain", later known by his name. Dubuque died in 1810, and for another twenty years the Indians held possession of the mines.<sup>17</sup>

Basil Giard also secured a grant of some 5680 acres of land in northern Iowa from the Spanish Governor,<sup>18</sup> and in 1799 Louis Honoré Tesson was granted about 6000 acres in what is now Lee County, where he planted the first apple orchard in the Iowa country. When the Keokuk dam was completed in 1913, the waters of the Mississippi River backed up and covered the site of this early orchard.<sup>19</sup>

How did it happen that these men received their grants of land from Spain? The answer involves the history of both Europe and America. In 1682 Robert de la Salle had taken possession of the whole Mississippi Valley for France. He

<sup>15</sup> Richman's *Ioway to Iowa*, pp. 53, 54; Van der Zee's *French Expedition Against the Sac and Fox Indians in the Iowa Country, 1734-1735*, in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XII, pp. 245-261.

<sup>16</sup> Robeson's *The Fur Trade in The Palimpsest*, Vol. VI, pp. 1-41; Van der Zee's *Fur Trade Operations in the Eastern Iowa Country under the Spanish Regime* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XII, pp. 355-372.

<sup>17</sup> Petersen's *The Mines of Spain in The Palimpsest*, Vol. XII, pp. 405-440; Herrmann's *Julien Dubuque, His Life and Adventures*.

<sup>18</sup> Scanlan's *Basil Giard and His Land Claim in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXX, pp. 219-247; Quigley's *The Giard Tract in The Palimpsest*, Vol. XII, pp. 1-6.

<sup>19</sup> Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 33-38; Wilson's *Tesson's Apple Orchard in The Palimpsest*, Vol. IV, pp. 121-131.



named it Louisiana for the French King. In 1762 France ceded that part of Louisiana west of the Mississippi to Spain. The following year eastern Louisiana was surrendered to England.

By the beginning of the nineteenth century American settlers west of the Allegheny Mountains were sending their produce down the Ohio and Mississippi rivers to New Orleans, but they disagreed with the Spanish officials over charges and shipping regulations. While they argued, Napoleon Bonaparte, who had made himself master of France, compelled Spain to recede Louisiana to France. The treaty was signed in 1800; but the French did not take possession until 1803.

It was not long before Napoleon realized that he could not hold the French possessions in North America in the face of the hostile British navy, and when President Thomas Jefferson sent commissioners to France in 1803 to try to buy the port of New Orleans and thus open the western shipping route, Napoleon offered to sell the entire French territory west of the Mississippi, as well as New Orleans. As a result the United States acquired Louisiana—including the present State of Iowa—for \$15,000,000. The French flag was raised at New Orleans in December, 1803, and at St. Louis in the spring of 1804 in place of the flag of Spain, only to be lowered to give place to the Stars and Stripes.<sup>20</sup>

President Thomas Jefferson sent Captain Meriwether Lewis and Lieutenant William Clark with a party to explore the new purchase. Starting up the Missouri River in the spring of 1804, they skirted the western boundary of the present Iowa. On the 20th of August, 1804, Sergeant Charles Floyd died, the first white man known to have died

<sup>20</sup> Hobby's *The Louisiana Purchase in Iowa Historical Lectures*, 1892, pp. 53-69.

on Iowa soil. He was buried on a hill above the river, near the present site of Sioux City, and his grave is now marked by a tall monument. With Sacajawea, an Indian woman, as a guide, the expedition went as far west as the mouth of the Columbia River which they reached in November, 1805, returning to St. Louis on September 23, 1806.<sup>21</sup>

The next government explorer to pass the Iowa country was Lieutenant Zebulon M. Pike, who was sent up the Mississippi River in 1805. Black Hawk tells of Pike's visit to the village of the Sauk and Fox Indians. Lieutenant Pike also visited Julien Dubuque, but did not see the lead mines.<sup>22</sup>

For the next quarter of a century the Iowa country remained almost unoccupied by white men, although traders continued their search for beaver skins and other furs. At this time there were forerunners of settlements. In 1820 Dr. Samuel C. Muir brought his Indian wife and their children to the present site of Keokuk. Other settlers came to the Half-breed Tract, among them Moses Stillwell and Isaac Galland with their families. Margaret Stillwell, born on November 22, 1829, is said to have been the first white child born in the Iowa country. Eleanor Galland, born on February 4, 1830, has second claim to this honor.<sup>23</sup> To the north the lead mines of Dubuque tempted many white men to cross the river, but the United States troops drove them back until the Indian title was extinguished.

Settlers were, however, permitted to establish homes on the ceded lands and after June 1, 1833, many crossed over into the Black Hawk Purchase. By 1836, when gov-

<sup>21</sup> Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 47-55.

<sup>22</sup> Martin's *The Expedition of Zebulon Montgomery Pike to the Sources of the Mississippi* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. IX, pp. 335-358.

<sup>23</sup> Petersen's *Some Beginnings in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVIII, pp. 3-54.



ernment surveys began, there were more than ten thousand settlers in Iowa. The land, of course, could not be bought before the land offices were opened, but the pioneers laid out their claims, built their cabins, and in many places formed "claim associations" to protect the rights of the "squatters" and to prevent others from bidding on the claims of the settlers at the land sales.<sup>24</sup>

The pioneers often came by river, landing usually at Keokuk, Fort Madison, Burlington, Bloomington (now Muscatine), Davenport, or Dubuque. Others came in covered wagons through Illinois and were ferried across the Mississippi to go on westward until they found a place for a cabin and a claim. Many of the first homes were built of logs, but rough lumber was soon made in rude sawmills along the rivers.<sup>25</sup> A pioneer settler at Iowa City declared that five days before he occupied his cabin, the lumber used in it was growing in the woods.<sup>26</sup> Food in Iowa was plentiful. Wild game abounded. Cornmeal and whole wheat flour ground in local mills furnished bread. Cooking was often done in the fireplace, but stoves were soon available. The women spun the yarn and made the clothing by hand.<sup>27</sup>

#### ORGANIZED GOVERNMENT

When the United States first organized the Louisiana Purchase, the northern part, including the Iowa territory, was designated as the District of Louisiana, and was, for a

<sup>24</sup> Shambaugh's *Frontier Land Clubs or Claim Associations* in the *Annual Report of the American Historical Association*, 1900, Vol. I, pp. 67-84, reprinted; Shambaugh's *Constitution and Records of the Claim Association of Johnson County, Iowa*.

<sup>25</sup> Swisher's *Claim and Cabin* in *The Palimpsest*, Vol. VIII, pp. 9-13; Sharp's *Early Cabins in Iowa* in *The Palimpsest*, Vol. II, pp. 16-29.

<sup>26</sup> Pelzer's *A Miniature Frontier of the Forties* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXIX, p. 11.

<sup>27</sup> Gallaher's *Around the Fireplace* in *The Palimpsest*, Vol. VIII, pp. 18-23.

time, attached to the Territory of Indiana. Later the Iowa country was made a part of the Territory of Louisiana and still later it was included in the Territory of Missouri. When Missouri was admitted as a State in 1821, that part of the Louisiana Purchase north of Missouri was left without governmental organization and it was still unorganized when settlers began to cross the Mississippi into what is now Iowa.<sup>28</sup> Indeed it was not even named.

The pioneers, however, were accustomed to taking care of themselves. Some of the first miners at Dubuque met on June 17, 1830, and drew up the "Miners' Compact"—a brief written organ of government for the group.<sup>29</sup> Four years later a murder was committed at Dubuque, and the murderer declared that he could not be punished because there were no laws and no officers. The pioneers, however, agreed that such a crime should be punished, and since no judicial machinery was provided, they improvised a court and jury. The murderer was permitted to select a lawyer and present evidence. He was convicted and sentenced to be hanged about a month later — and the sentence was duly executed.<sup>30</sup>

This event called attention to the need of some form of governmental organization in the country across the Mississippi, and in 1834 the whole area was temporarily attached to the Territory of Michigan. One of the first provisions made for the newly added territory was the establishment in September, 1834, of two counties — Dubuque and Des Moines. The boundary was a line drawn west from the southern end of Rock Island. Each county formed a

<sup>28</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I.

<sup>29</sup> Petersen's *Some Beginnings in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVIII, pp. 20, 21.

<sup>30</sup> Price's *The Execution of O'Connor* in *The Palimpsest*, Vol. I, pp. 86-97.



single township.<sup>31</sup> Two years later the western part of Michigan Territory was organized as the Territory of Wisconsin. Through its connection with Indiana, Michigan, and Wisconsin, the Iowa country inherited much of the spirit of the Northwest Ordinance.

It was about this time that Iowa was named. In 1835 a party of dragoons made a march up the Des Moines River, starting from Fort Des Moines (built in 1834, near the mouth of the Des Moines River). Among the officers of this expedition was Lieutenant Albert M. Lea. The following year he wrote a book describing the country through which the dragoons passed and in it he suggested that the part of Wisconsin Territory west of the Mississippi should be called the Iowa District. The name was derived from the Ioway River and the Ioway Indians.<sup>32</sup>

When Congress decided to divide Wisconsin Territory and create a new Territory west of the Mississippi River, the name suggested by Lea's book was adopted and a bill creating the Territory of Iowa was approved on June 12, 1838. It went into effect on July 4th. Robert Lucas, who had been Governor of Ohio, was appointed Governor of Iowa.<sup>33</sup> A secretary — William B. Conway — and three judges of the Supreme Court — Charles Mason, Joseph Williams, and Thomas S. Wilson — were also appointed by President Van Buren. The first Iowa Territorial election was held on September 10, 1838. W. W. Chapman was chosen delegate to Congress and a legislature (thirteen members of the Council and twenty-six members of the House of

<sup>31</sup> Swisher's *History of the Organization of Counties in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XX, pp. 485-489.

<sup>32</sup> Lea's *Notes on Wisconsin Territory* (1836), reprinted in the *Annals of Iowa* (Third Series), Vol. XI, pp. 115-167; Powell's *The Contributions of Albert Miller Lea to the Literature of Iowa History* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. IX, pp. 3-32; Shambaugh's *The Naming of Iowa* in *The Palimpsest*, Vol. V, pp. 370-372.

<sup>33</sup> Parish's *Robert Lucas*.

Representatives) was elected. Robert Lucas served as Governor until 1841 when John Chambers took the position. The third and last Territorial Governor was James Clarke who served from 1845 to 1846.<sup>34</sup>

One of the first questions to be decided by the legislature was the location of the capital. The act creating the Territory of Iowa had named Burlington as the temporary capital, leaving the choice of the permanent seat of government to the legislature, which, after much debate, finally decided to locate the capital in Johnson County. It was to be named Iowa City. A committee was appointed to select the site and the cornerstone of the capitol building was laid on July 4, 1840. The first meeting of the legislature held in the new capitol — now known as the Old Stone Capitol — was in the fall of 1842. In 1857 the capital was moved to Des Moines. The first capitol building there was built in 1858 and the present capitol was completed in 1884.<sup>35</sup>

No sooner had the Territory of Iowa been organized than it was involved in a dispute with the State of Missouri over the boundary line. Iowa insisted that the boundary was the so-called Sullivan line, which in 1816 had been projected eastward through the Des Moines Rapids in the Mississippi River. Missouri claimed a line surveyed in 1837 by J. C. Brown. This line ran west from a rapids in the Des Moines River. Militia mobilized on both sides, but the decision was finally left to the United States Supreme Court, which, in 1849, decided in favor of Iowa.<sup>36</sup>

<sup>34</sup> Briggs's *The Birth of the Territory* in *The Palimpsest*, Vol. IX, pp. 8-29; Shambaugh's *History of the Constitutions of Iowa*, pp. 81-104.

<sup>35</sup> Lathrop's *The Capitals and Capitols of Iowa* in the *Iowa Historical Record*, Vol. IV, pp. 97-124; Shambaugh's *Iowa City: A Contribution to the Early History of Iowa*; Swisher's *The Capital on Wheels* in *The Palimpsest*, Vol. IV, pp. 151-169; Briggs's *The Removal of the Capital from Iowa City to Des Moines* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIV, pp. 56-95.

<sup>36</sup> Parish's *Robert Lucas*; Eriksson's *The Honey War* in *The Palimpsest*.



During the early years of Iowa's history the settlers could not buy their farms since the government lands had neither been surveyed nor offered for sale, although grants of land were made to some of the early towns by the United States government. These, of course, became the property of the towns and could be platted and sold as lots. The first surveys of public lands in Iowa were made in 1836 and the first land offices for the sale of public lands in Iowa were established at Burlington and Dubuque in 1838. The minimum price of public land at these sales was \$1.25 per acre, but a system of bidding was often used, which might raise the price. The claim associations usually served notice that bidding against a settler who had improved a claim was not permitted. Land warrants, given as a bonus for military service, were frequently located on the lands put on sale, either by the owners or by speculators.<sup>37</sup>

As the white settlers increased in numbers, men began to talk of statehood, but it was not until 1844 that the popular vote favored a convention to draft a State Constitution. Because of a disagreement over boundaries<sup>38</sup> the Constitution drawn up in 1844 was twice rejected by the voters. Two years later a new Constitution was approved by the voters of Iowa at an election held on August 3, 1846, by the close margin of 9492 to 9036 votes, and on December 28,

Vol. V, pp. 339-350; Lea's *Iowa and the Missouri Boundary* in the *Iowa Historical Record*, Vol. II, pp. 193-207; Eriksson's *The Boundaries of Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXV, pp. 163-235.

<sup>37</sup> Cole's *A History of the People of Iowa*, pp. 150, 151; *Letters of J. W. Denison* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXXI, pp. 87-126, 274-304; Pelzer's *Augustus Caesar Dodge*, pp. 47-62.

<sup>38</sup> The boundaries proposed in 1844 would have extended Iowa about one-third farther north and about two-thirds of the way between the Mississippi and Missouri rivers. For an extensive account of the boundaries of Iowa see Eriksson's *The Boundaries of Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXV, pp. 163-235, and *The Palimpsest*, Vol. VII, pp. 54-62; Shambaugh's *Maps Illustrative of the Boundary History of Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. II, pp. 369-380.

1846, President James K. Polk signed the bill admitting Iowa into the Union.<sup>39</sup>

The first State election was held on October 26, 1846. Ansel Briggs was elected Governor — at a salary of \$1000 a year. Two Representatives — Shepherd Leffler and S. Clinton Hastings — were also elected, but the Iowa legislature was so evenly divided between the Whigs and the Democrats that it was not until 1848 that Augustus Caesar Dodge and George W. Jones — both Democrats — were chosen to represent Iowa in the United States Senate.<sup>40</sup>

The Constitution of 1846 prohibited banking corporations with power to issue paper money. It was hoped that this would protect the people against the “wild cat” bank notes which caused so much loss and uncertainty at this time, but it was soon found that the effect of the restriction was to deprive the people of the convenience of banks, while the State was flooded with “wild cat” paper money from outside. Partly because of this the people in 1856 voted for a new constitutional convention, and in 1857 the present Constitution was drafted and adopted. It has since been amended a number of times.<sup>41</sup>

#### THE PEOPLE

The early pioneers of Iowa came chiefly from eastern and southeastern States. In 1840 there were about 42,000 white people in Iowa; the 1850 census reported 192,212. By 1860 there were 674,913 inhabitants in the State, about one-sixth of whom had come from some foreign country, chiefly from north Europe. By 1890 there were 1,911,896 people in Iowa, 324,669 of whom were of foreign birth.

<sup>39</sup> Shambaugh's *History of the Constitutions of Iowa*.

<sup>40</sup> Schmidt's *History of Congressional Elections in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XI, pp. 38-67; Clark's *History of Senatorial Elections in Iowa*.

<sup>41</sup> Shambaugh's *History of the Constitutions of Iowa*, pp. 333-337.



Since Iowa has no large cities, the growth of population since the land has all been occupied has been relatively slow. In 1930 the population was 2,470,939. Only one city in Iowa has a population greater than 100,000 — Des Moines, the capital, with 142,559 inhabitants in 1930.

Most of the immigrants who came to Iowa bought farms or went into business. The men became naturalized citizens as soon as possible. Their children attended the public schools, and in a very short time the whole family talked and looked like their American neighbors.

There were, however, some interesting group settlements in Iowa. While Iowa was still a Territory, some people called Latter Day Saints or Mormons were living in Missouri. Later they moved to Illinois where they collected in and around the little town of Commerce opposite Montrose, Iowa. They changed the name of this town to Nauvoo and built a beautiful temple. By 1844 Nauvoo, with about 14,000 population, was the largest city in Illinois. The people of Illinois, however, insisted that the Mormons must leave the State and in the spring of 1846, the first party of Mormon emigrants crossed southern Iowa on their way to Salt Lake. They established permanent camps at several places along the way and there was a large camp on the Missouri River. They called this Kanesville (for Colonel Thomas L. Kane), but it was later named Council Bluffs. Many thousands of Mormons crossed Iowa in 1846. In 1856 about 1300 converts came to Iowa City by rail and continued their journey to Salt Lake, pushing the handcarts which contained their few possessions. Some of the Latter Day Saints settled permanently in southern Iowa. The headquarters of this branch of the Mormon Church was for many years at Lamoni in Decatur County.<sup>42</sup>

<sup>42</sup> Van der Zee's *The Mormon Trails in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XII, pp. 3-16; Gallaher's *The Handcart Expeditions* in *The Palimpsest*, Vol. III, pp. 214-226.

In 1847 a group from Holland, under Henry P. Scholte, came to Iowa and settled at Pella in Marion County. Later this group established a settlement at Orange City in Sioux County.<sup>43</sup> The failure of the potato crop in Ireland in 1845 and political dissatisfaction there brought many Irish to Iowa. One settlement made in 1856 was named Emmetsburg. Czechoslovakians settled in Johnson, Linn, and Winneshiek counties. It was at Spillville, one of these Bohemian settlements, that Dvorak wrote part of his "New World Symphony".<sup>44</sup> There were also group settlements of Swedes, Norwegians, and Danes in various localities.

Following the Revolution of 1848 a number of Hungarians came to Iowa in 1850 and attempted to found a colony called New Buda in Decatur County, but it did not succeed. Kossuth County was named for Louis Kossuth, one of the Hungarian patriots.<sup>45</sup> The last of these national group settlements was made by the English at Le Mars soon after 1876. Some of these men had considerable money and bought large farms. Most of them later returned to England or became American citizens, and the group settlement soon disappeared.<sup>46</sup>

In all these settlements, each man owned his own property and was responsible for his own support; but there were two communistic group settlements in Iowa. One of these was made by members of a German religious society who came to Iowa in 1855. This Amana Society now owns and farms about twenty-six thousand acres of land, chiefly in Iowa County. In addition it operates woolen mills and

<sup>43</sup> Van der Zee's *The Hollanders of Iowa*; Lucas's *The Beginnings of Dutch Immigration to Iowa, 1845-1847*, in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXII, pp. 483-531.

<sup>44</sup> Evans's *Dvorak at Spillville* in *The Palimpsest*, Vol. XI, pp. 113-118.

<sup>45</sup> Wilson's *Some Hungarian Patriots in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XI, pp. 479-516.

<sup>46</sup> Van der Zee's *The British in Iowa*.



other industries. The members, numbering about fifteen hundred, live in seven villages. In 1932 the Amana Society reorganized as a joint stock company.<sup>47</sup>

Another communistic society was started by some French people who called themselves Icarians. They first organized their communistic settlement at Nauvoo in 1849, but by 1860 they had moved to Adams County, Iowa, near Corning, where they built a village called Icaria. This Icarian community found it difficult to agree and after several divisions and withdrawals, it was finally dissolved in 1895.<sup>48</sup>

#### MILITARY HISTORY OF IOWA

Mention has already been made of Fort Madison, the post established in the Iowa country in 1808 to protect the fur trade. This fort was destroyed in 1813. Following the War of 1812 a number of forts were built in the territory surrounding the present area of Iowa. Those most closely related to Iowa history were Fort Armstrong on Rock Island (1816), Fort Edwards (1816), Fort Crawford at Prairie du Chien (1816), Fort Atkinson, opposite Council Bluffs (1819), and Fort Snelling (1820).<sup>49</sup>

In 1834 a fort built in Iowa near the site of Montrose and just north of the Tesson apple orchard was named Fort Des Moines. This fort was abandoned in 1837.<sup>50</sup> An-

<sup>47</sup> Shambaugh's *Amana That Was and Amana That Is*. For the old Amana see Shambaugh's *Amana* in *The Palimpsest*, Vol. II, pp. 193-228.

<sup>48</sup> Gallaher's *Icaria and the Icarians* in *The Palimpsest*, Vol. II, pp. 97-112; Shaw's *Icaria: A Chapter in the History of Communism*; Teakle's *History and Constitution of the Icarian Community* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XV, pp. 214-286.

<sup>49</sup> Van der Zee's *Forts in the Iowa Country* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XII, pp. 163-204; Gallaher's *The Military-Indian Frontier 1830-1835* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XV, pp. 393-428.

<sup>50</sup> Gallaher's *Fort Des Moines in Iowa History* in *Iowa and War*, No. 22.

other temporary post was Camp Kearny, located near the site of the present Council Bluffs. Troops were kept here at intervals between 1838 and 1840. Among the Winnebago Indians the government established Fort Atkinson,<sup>51</sup> also a temporary post, which was abandoned in 1849. Fort Croghan at Council Bluffs and Fort Sanford on the Des Moines River not far from the site of Ottumwa were two more military posts established for short periods in the Iowa country. In 1843 Fort Sanford was abandoned and a new fort named Fort Des Moines was built at the junction of the Raccoon and Des Moines rivers. This fort was evacuated in the spring of 1846, the Sauk and Fox Indians having been moved to Kansas. In 1850 Fort Clarke, later renamed Fort Dodge, was built on the Des Moines River below the mouth of Lizard Fork. This was abandoned and the buildings sold in 1853. In 1862, during the Sioux outbreak in Minnesota, blockhouses and stockades were erected at Correctionville, Cherokee, Peterson, Estherville, and Iowa Lake.<sup>52</sup>

As a military measure the United States government also built some early roads. In 1839, for example, \$20,000 was appropriated for a road from Dubuque to Iowa City and thence southward to Keosauqua.<sup>53</sup>

About the time Iowa was admitted as a State (1846), the Mexican War began. Over three hundred men enlisted from Iowa, chiefly in the Mormon Battalion, organized among the Mormon emigrants (on their way westward) temporarily located at Kaneshville. The interest of Iowans in the Mexican War is indicated by the names given to Iowa counties. Mills, Guthrie, Butler, Taylor, Hardin,

<sup>51</sup> Mahan's *Old Fort Atkinson* in *The Palimpsest*, Vol. II, pp. 333-350.

<sup>52</sup> Clark's *Frontier Defense in Iowa, 1850-1865*, in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XVI, pp. 315-386; Teakle's *The Spirit Lake Massacre*.

<sup>53</sup> Parish's *The Old Military Road* in *The Palimpsest*, Vol. II, pp. 33, 34.



Ringgold, Yell, and Risley counties were named for men distinguished in the war. Buena Vista, Cerro Gordo, and Palo Alto counties were named for battles. Yell and Risley counties were later united to form a new county which was named Webster County.<sup>54</sup>

When President Lincoln issued his first call for troops in 1861, the message was brought to Davenport by telegraph and brought by special messenger to Governor Samuel J. Kirkwood who was found at work on his farm near Iowa City. He issued a call for one regiment and received offers of ten times that many. During the war Iowa furnished forty-eight regiments of infantry, nine regiments of cavalry, and four batteries of artillery, nearly 80,000 men. Four Iowans — Samuel R. Curtis, Grenville M. Dodge, Frederick Steele, and Francis J. Herron — served as major generals. One of the women prominent in relief work was Mrs. Annie Turner Wittenmyer from Keokuk who was chiefly responsible for the installation of diet kitchens in the military hospitals. Relief work received much attention in Iowa. Sanitary fairs assisted in providing funds and women's aid societies worked heroically to care for the men in service, the sick and wounded, and the soldiers' orphans.<sup>55</sup>

In the Spanish-American War in 1898, Iowa sent four regiments of infantry — the Forty-ninth, Fiftieth, Fifty-first, and Fifty-second — two batteries of artillery, a signal corps unit, and a company of colored soldiers. The Fifty-

<sup>54</sup> Upham's *The Mexican War in Iowa and War*, No. 12; Bloomer's *The Mormons in Iowa* in the *Annals of Iowa* (Third Series), Vol. II, pp. 593, 594.

<sup>55</sup> *Roster and Record of Iowa Soldiers in the War of the Rebellion*, 6 volumes; Byers's *Iowa in War Times*; Pollock's *State Finances in Iowa During the Civil War* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XVI, pp. 53-107; *The Palimpsest*, Vol. XI, pp. 129-171; Gallaher's *Annie Turner Wittenmyer* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXIX, pp. 518-569; Fullbrook's *Relief Work in Iowa During the Civil War* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XVI, pp. 155-274.

first Infantry was sent to the Philippine Islands. The battleship *Iowa* took an active part in the naval battles.<sup>56</sup>

More than 113,000 Iowa men served in the army, navy, or marine corps during the World War. The Third Iowa National Guard regiment was included in the Rainbow Division as the 168th United States Infantry. It reached France in December, 1917, and remained there (most of the time in the front line fighting) until the Armistice. After the Armistice the regiment was sent into Germany and it did not return to Iowa until May, 1919. More than two thousand Iowa soldiers and sailors were killed or died of disease.<sup>57</sup>

There was already a Fort Des Moines in Iowa — the third by that name — when the war broke out. This had been established in 1901, but it was too small for one of the large training camps. It was first used as an officers' training camp and later as a hospital. Camp Dodge, one of the large training camps, was established near Des Moines.<sup>58</sup>

#### EDUCATION IN IOWA

The Iowa pioneers quickly established schools, newspapers, and churches. As early as 1830 Berryman Jennings taught the first school in Iowa at Ahwipetuk (later Montrose) in the Half-breed Tract. The first school out-

<sup>56</sup> Mahan's *The Fifty-first Iowa* in *The Palimpsest*, Vol. VI, pp. 177-222; Gallaher's *The Iowa* in *The Palimpsest*, Vol. IV, pp. 101-112. The gold dinner service of the *Iowa* is now on display in the Historical Building at Des Moines.

<sup>57</sup> Taber's *The Story of the 168th Infantry*, two volumes. For material on Iowa in the World War see the *Iowa and War Series*, published by the State Historical Society of Iowa. Volumes in this series cover the Red Cross, welfare work, the food administration, and the sale of war bonds. The pamphlet series, *Iowa and War*, also contains material on Iowa in the World War.

<sup>58</sup> Gallaher's *Fort Des Moines in Iowa History* in *Iowa and War*, No. 22; Haynes's *Social Work at Camp Dodge* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XVI, pp. 471-547.



side this tract is said to have been taught at Dubuque in 1833 by George Cubbage. By the time Iowa became a Territory more than forty schools had been established here.<sup>59</sup>

The first act concerning public schools adopted by the legislature of Iowa Territory was approved on January 1, 1839. The present educational system of Iowa — elementary schools and high schools with the State University as the cap sheaf — was outlined in a bill approved on March 12, 1858. This was based upon a report on the public schools of the State submitted in 1856 by a commission of which Horace Mann was chairman. The public schools in Iowa have always been coeducational.

School administration in Iowa has been, for the most part, in the hands of the local school districts, with more or less supervision by the county and the State. A county superintendent of schools (formerly elected but now appointed by representatives of the districts) acts for the county. State supervision over the schools — outside of those maintained directly by the State — is exercised through the office of the State Superintendent of Public Instruction. From 1857 to 1863 Iowa tried a State Board of Education made up of the Lieutenant Governor and members elected from the judicial districts. This board enacted the school laws although appropriations were made by the State legislature.<sup>60</sup>

Nor were handicapped children forgotten. In 1853 a State institution for the education of the blind was opened at Iowa City and two years later a similar State institution for deaf and dumb children was opened at the same place.

<sup>59</sup> Grahame's *The First Iowa School* in *The Palimpsest*, Vol. V, pp. 401-407; Parvin's *The Early Schools and Teachers of Iowa* in the *Annals of Iowa* (Third Series), Vol. III, pp. 445-449; Aurner's *History of Education in Iowa*, five volumes.

<sup>60</sup> Cook's *The Administrative Functions of the Department of Public Instruction* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVII, pp. 244-294, 339-407.

In 1862 the school for the blind was moved to Vinton and in 1870 the institution for the deaf and dumb was moved to Council Bluffs.<sup>61</sup>

The Iowa pioneers, however, were not satisfied with elementary schools; they soon established many seminaries and colleges. Many of these institutions, established and supported by private funds, survived for only short periods, but a number of them have given long and valuable service. Iowa Wesleyan College dates back to the opening of the Mount Pleasant Collegiate Institute in 1844. Grinnell College continues the existence of Iowa College which first opened its doors to students in 1848. In 1930 there were some twenty privately supported colleges in Iowa, for the most part by various churches. The second decade of the twentieth century saw the development of a new feature in education — the public junior colleges. By 1930 college work was being offered in about thirty city school districts.<sup>62</sup>

In 1847 the State University of Iowa was established at Iowa City. The State Historical Society of Iowa, established by law in 1857, is also located at Iowa City. It has published a large number of books, pamphlets, and periodicals dealing with the history of Iowa. The State College of Agriculture and Mechanic Arts was opened at Ames in 1868. A State Normal School, now the State Teachers College, held its first session at Cedar Falls in 1876. At Des Moines the Historical, Memorial and Art Department has built up a large collection of newspapers, archives, books, and manuscripts.<sup>63</sup>

The first newspaper published in Iowa was the *Dubuque*

<sup>61</sup> Aurner's *History of Education in Iowa*, Vol. V.

<sup>62</sup> For references on private educational institutions see Petersen's *Two Hundred Topics in Iowa History*, pp. 48, 49.

<sup>63</sup> Aurner's *History of Education in Iowa*, Vol. IV.



*Visitor*, published by John King, the first issue of which appeared on May 11, 1836 — before Iowa was even named. The first daily paper appeared in 1851, also at Dubuque.<sup>64</sup>

In literature Iowa has produced an unusually long list of writers, including Herbert Quick, Jay G. Sigmund, Hamlin Garland, Edwin Ford Piper, Alice French, Bess Streeter Aldrich, Ellis Parker Butler, James Norman Hall, John T. Frederick, Emerson Hough, Vilhjalmur Stefansson, and Ruth Suckow.<sup>65</sup>

#### RELIGIOUS HISTORY OF IOWA

In its religious history Iowa has been fortunate. Church services in early days might be held in log cabins, stores, warehouses, schoolhouses, or outdoors, as well as in church buildings. The first church building<sup>66</sup> in Iowa was erected at Dubuque by the Methodists in 1834. This was of logs and cost \$255. The Catholics built a church there the following year.

The Friends or Quakers early made a home in Iowa. The first settlers of that faith arrived in 1835 near the site of the present Salem, which became a center of Quaker settlement. Some ten years later another group of Friends began a settlement in Cedar County. Here are still to be seen the old house in which John Brown's band spent the winter and the simple home in which Herbert Hoover was born on August 10, 1874.<sup>67</sup>

One of the events which permanently influenced Iowa

<sup>64</sup> Parish's *Three Men and a Press* in *The Palimpsest*, Vol. I, pp. 56-60; Mott's *Early Iowa Newspapers* in the *Annals of Iowa* (Third Series), Vol. XVI, pp. 161-233.

<sup>65</sup> For references on these and other writers of Iowa see Petersen's *Two Hundred Topics in Iowa History*, pp. 53, 54.

<sup>66</sup> Gallaher's *The First Church in Iowa* in *The Palimpsest*, Vol. VII, pp. 1-10.

<sup>67</sup> Jones's *The Quakers of Iowa*; *The Palimpsest*, Vol. IX, pp. 221-281.

history was the coming of the "Iowa Band" in 1843, a group of Congregational and Presbyterian ministers from New England. The eleven members founded numerous churches and helped establish Iowa College — later Grinnell.<sup>68</sup>

Similar to the Amana group (discussed on pages 549, 550) in religious belief, but not communistic in its economic organization, was the settlement made by members of the Church of the Brethren in 1854 along the English River in Washington County.<sup>69</sup>

A different purpose was manifested by Abner Kneeland who came to Iowa in 1839 to found a community of free-thinkers near Farmington, Van Buren County, which he named Salubria. Kneeland died in 1844 and the settlement soon disappeared. Later a chapel was built there and a granddaughter of Abner Kneeland is said to have had charge of a Sunday school.

Revivals and camp meetings were popular among the pioneers, since they furnished an outlet for the social instinct in addition to stimulating religious emotions. On the whole, however, the religious history of Iowa has been characterized by a combination of religious fervor, good judgment, tolerance, and emphasis on education. Indeed one of the noteworthy characteristics of Iowa churches has been their support of education.

#### PUBLIC WELFARE

The first case to come before the Supreme Court of the Territory of Iowa (decided in 1839) involved the right of a master to retake a slave. The slave, named Ralph, had

<sup>68</sup> Magoun's *The "Iowa Band" of 1843* in the *Annals of Iowa* (Third Series), Vol. I, pp. 525-531; Adams's *The Iowa Band*; Gallaher's *The Iowa Band* in *The Palimpsest*, Vol. XI, pp. 355-366.

<sup>69</sup> Kirkpatrick's *The English River Congregation of The Church of the Brethren* in *Iowa Monograph Series*, No. 2.



been permitted by his master to come to Dubuque to earn his freedom. When he did not succeed in earning the \$550 fixed as his price, the master commissioned two men to seize the negro and return him to Missouri. The Iowa Supreme Court decided that slavery could not exist under the laws of Iowa and Ralph was set free.<sup>70</sup>

Some of the settlers in Iowa were pro-slavery, many were indifferent, but some, especially the people who came from New England and the Quakers, were willing to aid fugitive slaves. These people often worked through an organization called the "Underground Railroad" which passed fugitive slaves across the State on their way to Canada. John Brown visited Iowa several times and some of the men he had enlisted for the Harper's Ferry raid spent the winter of 1857-1858 at the Quaker settlement named Springdale in Cedar County.<sup>71</sup>

The first temperance society in Iowa was organized in 1838 at Fort Madison. Robert Lucas, the first Governor, was an outspoken advocate of temperance. The first statewide prohibitory law was adopted by a popular vote in April, 1855, but in 1857 this was amended to provide a license system. In 1870 a form of county local option was adopted and in 1882 a constitutional prohibitory amendment was added to the State Constitution, only to be declared invalid by the State Supreme Court in January, 1883. Statutory prohibition was then adopted in 1884, but difficulties of enforcement led to the adoption of the Mule Law in 1894. This was a peculiar combination of a statewide prohibitory law with local option as to its enforce-

<sup>70</sup> Swisher's *The Case of Ralph* in *The Palimpsest*, Vol. VII, pp. 33-43.

<sup>71</sup> Van Ek's *Underground Railroad in Iowa* in *The Palimpsest*, Vol. II, pp. 129-143; Garretson's *Travelling on the Underground Railroad in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXII, pp. 418-453; Richman's *John Brown Among the Quakers and Other Sketches*; *The Palimpsest*, Vol. IX, pp. 385-436.

ment. The Malt Law was gradually restricted and in 1915 it was repealed and Iowa returned to statewide prohibition. An amendment to the State Constitution prohibiting the manufacture and sale of intoxicating liquor for beverage purposes was defeated in 1917, but Iowa ratified the Eighteenth Amendment to the Federal Constitution in 1919. In 1933, the prohibitory law was amended to permit the sale of malt beverages having not more than 3.2 per cent alcohol, and by a popularly elected convention Iowa ratified the repeal of the Eighteenth Amendment.<sup>72</sup>

The first State institution established by Iowa was the penitentiary located at Fort Madison in 1839. An additional penitentiary, now known as the Men's Reformatory, was opened at Anamosa in 1873, and a Women's Reformatory at Rockwell City in 1918. The Training School for Boys, now located at Eldora, received its first inmates in 1868 and the Training School for Girls, located at Mitchellville, was opened in 1873.<sup>73</sup>

The Civil War made necessary some provision for the care of the orphan children of soldiers. Three homes for such orphans were established in Iowa — one at Farmington, which was opened in 1864 and transferred to Davenport the following year; one at Cedar Falls, opened in 1865; and a third at Glenwood, in 1866. Only the institution at Davenport is now in operation and it is no longer restricted to the care of soldiers' orphans.<sup>74</sup> A State Juvenile Home was opened at Toledo in 1920.

<sup>72</sup> Clark's *Liquor Legislation in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. V, pp. 193-212, Vol. VI, pp. 55-87, 339-374, 503-608, Vol. XV, pp. 42-69; Gallaher's *The Liquor Merry-Go-Round* in *The Palimpsest*, Vol. XIV, pp. 213-232.

<sup>73</sup> For an account of the two training schools see Aurner's *History of Education in Iowa*, Vol. V, pp. 177-267.

<sup>74</sup> Aurner's *History of Education in Iowa*, Vol. V, pp. 119-174; Gallaher's *Annie Turner Wittenmyer* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXIX, pp. 559-561.



The care of persons who are defective mentally has been met in Iowa by the establishment of six institutions, including four hospitals for the insane. The first of these was located at Mt. Pleasant and received its first patients in March, 1861. Similar institutions have since been provided by the State at Independence, Clarinda, and Cherokee. An institution for feeble-minded children was opened at Glenwood in 1876 in the buildings formerly occupied by the soldiers' orphans' home.<sup>75</sup> An institution for the care of epileptics was established at Woodward in 1917.

The State provides also for the care of certain of its sick. A State Sanatorium for the Treatment of Tuberculosis began work at Oakdale, near Iowa City, in 1908. A law providing hospital treatment of the sick or crippled children of poor parents was adopted in 1915 and a hospital for such children was erected at Iowa City. Free medical and surgical treatment of indigent adults at the State University Hospital was authorized in 1919, but this State care is limited by the amount appropriated by the General Assembly for each biennium.

#### POLITICAL HIGHLIGHTS

During its Territorial existence Iowa was chiefly Democratic in politics. When Iowa became a State the Democrats remained in power until 1854 when James W. Grimes, a Whig, was elected Governor. Under the leadership of Governor Grimes and others who had become dissatisfied with both Whig and Democratic policies, the Republican party was organized in Iowa in February, 1856. It soon replaced the Whig party and has elected the Governor and most of the other State officers since that time except in 1889 and 1891 when Horace Boies, a Democrat, was elected Governor and 1932 when Clyde L. Herring was the suc-

<sup>75</sup> Aurner's *History of Education in Iowa*, Vol. V, pp. 271-311.

cessful candidate. Iowa Senators, too, have been Republicans from 1859 to 1933 except Daniel F. Steck and Louis Murphy.<sup>76</sup>

During the period following the Civil War, the increased immigration and the deflation naturally following a war caused a period of hard times and unemployment. Farming was unprofitable and the farmers proposed various remedies. The first Grange society was organized at Newton in 1868. For a number of years the Grange had over 500 societies and was influential politically as well as economically. The law of 1874 regulating railroad rates was in part due to the Grange. After about 1880 the Grange declined in membership and influence, and its place has now been taken to a large extent by the Iowa Farm Bureau Federation and the Iowa Farmers' Union.<sup>77</sup>

The economic discontent produced a number of third parties such as the Anti-Monopoly party in the seventies, the Greenback party in the eighties, and the Populist party in the nineties.<sup>78</sup>

Many Iowans have been prominent politically. Samuel J. Kirkwood<sup>79</sup> was Governor of Iowa during the Civil War; James Harlan<sup>80</sup> was United States Senator and Secretary of the Interior; William Larrabee, Albert Baird Cummins, and Leslie M. Shaw served as Governors of the State. Larrabee was best known for his interest in railroads.

<sup>76</sup> For the history of political parties in Iowa see the articles on the Whig, Democratic, and Republican parties in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. IV, pp. 487-525, Vol. V, pp. 46-90, Vol. VI, pp. 3-54, 163-246, Vol. VII, pp. 179-229.

<sup>77</sup> Anderson's *The Granger Movement in the Middle West with Special Reference to Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXII, pp. 3-51.

<sup>78</sup> Haynes's *Third Party Movements Since the Civil War*.

<sup>79</sup> Clark's *Samuel Jordan Kirkwood*.

<sup>80</sup> Brigham's *James Harlan*.



Cummins was later United States Senator and Shaw Secretary of the Treasury. James B. Weaver<sup>81</sup> was the Populist candidate for President in 1892. James Wilson,<sup>82</sup> E. T. Meredith, Henry C. Wallace, and Henry A. Wallace served as Secretary of Agriculture. Samuel Freeman Miller<sup>83</sup> was Associate Justice of the United States Supreme Court. William B. Allison<sup>84</sup> served as United States Senator for thirty-six years. Herbert C. Hoover,<sup>85</sup> born at West Branch, Iowa, in 1874, was elected President of the United States in 1928, and was the first man born west of the Mississippi River to occupy that position.

When Iowa was organized as a Territory, the right of suffrage was extended, with minor exceptions, to free, white male citizens twenty-one years of age or over. When the Constitution of 1857 was drafted there was a movement to drop the color qualification and as a compromise the question was submitted to the voters. The result of the election favored retaining the word "white", but in 1868 this qualification was dropped by constitutional amendment. The word "male" still remains in the suffrage section of the Iowa Constitution, since an amendment to the State Constitution to strike it out was defeated on June 5, 1916. The provision, however, was rendered void by the adoption of the Nineteenth Amendment to the United States Constitution in 1920. The Iowa legislature ratified this amendment on July 2, 1919. A similar provision in the Iowa Constitution of 1857 limited membership in the General Assembly to "free white male" citizens. The word

<sup>81</sup> Haynes's *James Baird Weaver*.

<sup>82</sup> *The Palimpsest*, Vol. IV, pp. 65-98.

<sup>83</sup> Gregory's *Samuel Freeman Miller*.

<sup>84</sup> *The Palimpsest*, Vol. VI, pp. 265-304.

<sup>85</sup> *The Palimpsest*, Vol. IX, pp. 263-276; Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 344-351.

“male” was dropped by an amendment adopted in 1880. The sex qualification (which so far as office holding was concerned was not removed by the Federal Amendment) was dropped by an amendment in 1926.<sup>86</sup>

#### TRANSPORTATION AND COMMUNICATION

Among the problems of the Iowa pioneers was the matter of transportation and communication. Stagecoaches were soon making trips over the prairie roads and heavy wagons rumbled to town with the farmers' produce. Cattle and hogs were sometimes driven long distances to market.<sup>87</sup> The roads were often bad. In the winter the snow drifts were deep and in the spring the mud was bottomless.

The settlers hoped that steamboats would help them market their goods and during the forties a number of boats made trips up the Iowa rivers, but it was soon found that the channels of the interior rivers were too shallow for steamboat transportation, although there was much trade on the Mississippi and Missouri rivers.<sup>88</sup>

Soon the Iowa pioneers began to dream of railroads. About the time Iowa became a Territory, John Plumbe, Jr., of Dubuque, planned a railroad from the Great Lakes to the Pacific, but the first Iowa railroad was not begun until 1855, when the Mississippi and Missouri Railroad was built from Davenport to Iowa City. The first train reached

<sup>86</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I; Erbe's *Amendment of the Iowa Constitution* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXIII, pp. 103-137; Gallaher's *History of the Legal and Political Status of Women in Iowa*, pp. 219, 220; *Constitution of Iowa, 1857*, edited by Shambaugh and Gallaher, pp. 14, 17.

<sup>87</sup> Bailey's *To Market with Hogs* in *The Palimpsest*, Vol. XII, pp. 57-63.

<sup>88</sup> Parish's *The Ripple* in *The Palimpsest*, Vol. II, pp. 113-122; Hussey's *History of Steamboating on the Des Moines River, From 1837 to 1862*, in the *Annals of Iowa* (Third Series), Vol. IV, pp. 323-382. For other references on steamboat traffic see Petersen's *Two Hundred Topics in Iowa History*, pp. 80, 81.



Iowa City on January 3, 1856. The demand for transportation led many counties and municipalities to issue bonds to assist proposed railroads and the United States also made large grants of land to railroads. By 1870, there were nearly 3000 miles of railroads in the State. In 1914, the peak year in railroad mileage, there were more than 10,000 miles of railroad tracks in Iowa, but since that time the mileage has slightly decreased.<sup>89</sup>

Interstate railroads required bridges. The first bridge<sup>90</sup> across the Mississippi River was built for the Mississippi and Missouri Railroad and was opened in 1856. A second railroad bridge was constructed at Clinton and opened for travel in 1865. Railroad bridges were constructed at Burlington and Dubuque in 1868 and in 1870 a combination railroad and highway bridge was opened at Keokuk. The first bridge across the Missouri River was built for the Union Pacific Railroad in 1873.

The first automobiles were brought into Iowa about the close of the nineteenth century. Two cars — a locomobile run by steam, and a Haynes gasoline car — were exhibited at a fair in Linn County in 1899. Thirty years later Iowans were using more than 700,000 automobiles and trucks.

The coming of the automobile emphasized the need of improved roads. The good roads movement in Iowa began about 1900, but it was twenty-five years before Iowa began to do much paving. By March, 1933, almost all the main roads had been hard surfaced, 4086 miles had been paved with concrete and 3197 miles had been graveled. The cost of concrete paving — some \$25,000 or \$26,000 a mile — is

<sup>89</sup> Hoeltje's *United by Rail* in *The Palimpsest*, Vol. X, pp. 389-397; Lathrop's *The Pioneer Railroad of Iowa* in the *Iowa Historical Record*, Vol. XIII, pp. 123-134; Sharp's *The M. and M. Railroad* in *The Palimpsest*, Vol. III, pp. 1-15. For other references see Petersen's *Two Hundred Topics in Iowa History*, pp. 82, 83.

<sup>90</sup> Parish's *The First Mississippi Bridge* in *The Palimpsest*, Vol. III, pp. 133-141.

approximately the same as the cost per mile of the first railroad built in Iowa. With the good roads came the use of buses for transportation in competition with the railroads.

The increased expenditures on roads brought about a change in the administration of highway funds. In early Iowa, the township trustees were considered the proper custodians of the roads. Little by little this work was transferred to the county boards of supervisors and in 1925 the State Highway Commission was given charge of the primary roads.<sup>91</sup>

Communication by wire was easier to secure than transportation of persons and goods. As early as the summer of 1848, a telegraph line was in use between Bloomington — now Muscatine — and Burlington. Most of the early telegraph lines in Iowa were built by the sale of stock to public spirited citizens in the communities through which the lines passed. Most of them lost their money, but the communities benefited from the improvement. When a message announcing the election of Zachary Taylor came to Bloomington in the fall of 1848, a Democrat is said to have declared it was a Whig lie. He bet on Lewis Cass and lost. The best known promoter of telegraph lines in Iowa was Henry O'Reilly. In 1852, the rate from New York to Burlington was \$1.35 for ten words. It was not until after the Civil War began that Iowa City and Des Moines were provided with telegraph service.<sup>92</sup>

The first telephone line entered Iowa about 1877. By 1882 the telephone lines were numerous enough in the State

<sup>91</sup> Brindley's *History of Road Legislation in Iowa*; Pollock's *The Administration of Highways in the County in Applied History*, Vol. IV, pp. 416-471; Powers's *The Iowa State Highway Commission* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXIX, pp. 42-103; Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 323, 324.

<sup>92</sup> Wilson's *Telegraph Pioneering* in *The Palimpsest*, Vol. VI, pp. 373-393; Wilson's *By Wire* in *The Palimpsest*, Vol. VII, pp. 233-260.



to call for legislation and they were included with telegraph companies in the laws regulating such utilities. There are now more than half a million telephones in use in Iowa, approximately one for every five persons.

The introduction of airplanes as a means of transportation is scarcely old enough to be history. One of the first aviators in Iowa was William C. Robinson, who in 1914 established a non-stop flight record to Chicago. In June, 1927, another Iowa boy, Clarence D. Chamberlin, piloted an airplane to Europe. A year later the *Des Moines Register and Tribune* began using a plane for news collecting. By 1930, airplane transportation had become an established business.<sup>93</sup>

So in less than one hundred years Iowa has seen transportation pass from the ox-cart to the airplane, and messages once laboriously carried by couriers on foot or on horseback are now carried by wire, or through unseen channels of the air to radios in the individual homes.

#### BUSINESS AND INDUSTRY

The earliest business carried on in Iowa was the fur trade. Combined with this was the Indian trade. Buying furs cheaply from the Indians and selling goods to them in return at high prices made many a moderate fortune and a few very rich men. The representative Iowa pioneer, however, was not a rich man. He provided for most of the needs of himself and his family by his own labor and spent what little money he had in the purchase of land. Gradually, however, surplus wheat, hogs, cattle, and other food supplies were sent to market and manufacturing became an important industry.

Sawmills were pioneer necessities. Indeed, the first saw-

<sup>93</sup> For articles on aviation in Iowa see *The Palimpsest*, Vol. XI, pp. 369-414, and *The Book of Iowa*.

mill in Iowa was built on Yellow River in 1829 by soldiers who were erecting the second Fort Crawford. With the coming of white settlers, the demand for lumber made the operation of sawmills profitable. Pine logs were floated down the Mississippi River to be sawed into lumber at Dubuque, Clinton, Davenport, Muscatine, Burlington, Fort Madison, and Keokuk.

The first recorded use of brick in Iowa was a brick store building at Dubuque in 1836. A brick dwelling house was built the following year from bricks made there by a man named Le Roy Johnson. A brick plant (still in operation) was established at Mason City in 1882.<sup>94</sup>

Flour and cornmeal were among the few necessities of pioneer Iowans. Wheat and corn were sometimes ground in hand mills, but water mills were soon available, although long drives with grist were often necessary. It is difficult to say definitely when the first gristmill was erected in Iowa. A mill was started at Rockdale (now part of Dubuque) in 1834. Early in January, 1839, the Iowa legislature passed six acts authorizing the construction of mill dams on Pine River, the Des Moines River, the Skunk River, and the Big Cedar, and mills were made public utilities and the rates of toll were specified.

Such mills were simple in construction and many pioneers were familiar with the milling process. It is said that some six hundred of these water driven gristmills have furnished flour for the population of Iowa. Very few are now at work and many have been destroyed. With the exception of ground feed for farm animals, milling has become "Big Business".

In 1873 John and Robert Stuart and George Douglas

<sup>94</sup> Welch's *The Industry of Iowa* *Ceramics in Midland Schools*, Vol. XLIV, p. 179. This volume of *Midland Schools* contains a number of articles on Iowa industries.



established the North Star Oatmeal Mills at Cedar Rapids, the beginning of the present Quaker Oats plant.<sup>95</sup>

Pork packing was an early Iowa industry. In 1840 J. M. D. Burrows of Davenport bought some dressed hogs from farmers. Later he started a "pork house" and in the winter of 1853-1854 he reported packing 19,000 hogs. In 1877 Thomas D. Foster selected Ottumwa as the site of one of the packing plants of John Morrell & Co., which had been established in England in 1827. About the same time meat packing became one of the outstanding industries at Sioux City. Approximately four and a half million hogs are now slaughtered annually in Iowa packing plants.

The first creamery in Iowa was built at Spring Branch in 1872 by John Stewart of Manchester. Four years later this Spring Branch Creamery was awarded the gold medal at the Centennial Exposition.<sup>96</sup>

In 1891 John F. Boepple began the manufacture of pearl buttons at Muscatine.<sup>97</sup> Newton has become the center of the washing machine industry. Under the direction of F. H. Bergman, the One Minute Washing Machine Company began manufacturing washing machines there in 1900; the Maytag Company in 1911.<sup>98</sup> In 1913 the Mississippi River Dam and Power Plant was completed at Keokuk, furnishing a large amount of electric current. Several manufacturing plants date from the same year. Among these are the Sheaffer Pen Company at Fort Madison and the Bettendorf car works.<sup>99</sup>

<sup>95</sup> Thornton's *The History of the Quaker Oats Company*, pp. 38, 39.

<sup>96</sup> *The Book of Iowa*, pp. 62, 63.

<sup>97</sup> Haefner's *Argonauts of the Mississippi* in *The Palimpsest*, Vol. XIII, pp. 473-486.

<sup>98</sup> Welch's *A Few Outstanding Iowa Industries in Midland Schools*, Vol. XLIV, pp. 349, 350.

<sup>99</sup> Welch's *A Few Outstanding Iowa Industries in Midland Schools*, Vol. XLIV, p. 350.

To carry on business, money and banks are usually essential. Money was scarce in pioneer Iowa. In 1846, when Iowa became a State it was estimated that there was only \$183,426 in gold and silver coins and bank notes in Iowa, an average of about one dollar and eighty cents per person. The first bank in Iowa — the Miners' Bank of Dubuque — was given a charter by the legislature of Wisconsin Territory — of which Iowa was then a part — on November 30, 1836, but it was not until October 31, 1837, that the bank opened for business. After a hectic career, including many investigations, the charter of the Miners' Bank was repealed by the Iowa legislature in May, 1845, and the bank ceased business on February 25, 1849.

Banking corporations with power to issue money were prohibited by the first Constitution of Iowa, but paper money from other States was in general circulation. Much of this money was not based upon specie and was either worthless or so depreciated that a guide or reporter giving the standing of the various issues was necessary for any one handling money. About 1855 Iowa was deluged with bank notes from Nebraska, most of which were issued by Iowa firms acting under Nebraska incorporation acts. Firms in Iowa issued scrip which was, in fact, similar to post dated checks.

The Constitution of 1857 authorized general banking and also the establishment of a State Bank with power to issue notes. This was organized in 1858. This bank operated only until 1865, the national bank act of 1863 having rendered State bank notes unprofitable by the imposition of a tax. The First National Bank of Davenport organized in May, 1863, is said to have been the first national bank in the United States.<sup>100</sup>

<sup>100</sup> Preston's *History of Banking in Iowa; The History of the First National Bank in the United States.*



## AGRICULTURE

The most important industry in Iowa is agriculture. It was farm land which attracted the first settlers to cross the Mississippi even before the land was open to settlement. It was to secure farms that the pioneers formed claim associations and denied themselves luxuries and necessities.

Pioneer farming was hard work. Breaking the tough prairie sod soon came to be an occupation and men with breaking plows and from six to twelve yoke of oxen went from place to place to do this work.

Gradually Iowa farmers acquired corn planters, corn cultivators, and corn pickers. The grain cradle gave way to the horse drawn reaper, and the reaper to the self-binder. Horse drawn rakes took over the work of the hand rakes and the hayloader combined the work of rake and the pitchfork. Man power was relieved by horse power; and horses, in turn, were supplanted or supplemented by tractors.

In agricultural crops equal improvements have been made. An Iowa farmer of today would scarcely recognize the original Indian corn. One of the first varieties of corn grown in Iowa was the Reid yellow dent, a cross developed in Illinois in 1847.<sup>101</sup> The improvement in farm animals raised in Iowa has been noteworthy. The pioneer farmers turned their nondescript stock loose on the prairie to feed. About the time of the Civil War and later, herding on a commercial scale became a general practice, but by 1890 free land had almost disappeared. With the end of free land, herding became impossible and farmers turned their attention to the breeding of better cattle, horses, sheep, and hogs.<sup>102</sup>

<sup>101</sup> Wallace's *The Civilization of Corn* in *The Palimpsest*, Vol. XI, pp. 269-281.

<sup>102</sup> Hopkins's *Economic History of the Production of Beef Cattle in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVI, pp. 65-143, 204-294, 415-460.

The interest of the pioneers in agriculture and the need for social contacts and amusements made local agricultural societies and fairs popular among the pioneers. As early as December 19, 1838, the Iowa legislature adopted a law authorizing the incorporation of agricultural societies, but it was not until January 24, 1852, that two counties — Jefferson and Wapello — organized the first county agricultural societies. These were soon followed by others. The societies promoted county fairs. Here men showed their corn, potatoes, pumpkins, horses, hogs, and cattle. Here women displayed their cakes and jellies. Horse racing was a popular sport. A year later the Iowa State Agricultural Society was organized and the first State fair in Iowa was held at Fairfield, on October 25–27, 1854.<sup>103</sup>

For the most part Iowa agriculture has been free from destructive agencies, although rain, drought, hail, frost, chinch bugs, and grasshoppers have taken their toll. Of these probably the most spectacular were the grasshoppers — Rocky Mountain locusts — which descended on northwestern Iowa in 1867, and especially during 1873–1876 literally swept many sections in this region clear of farm crops.<sup>104</sup>

#### AMUSEMENTS AND RECREATION

The Iowa pioneers found their recreation largely in such diversions as hunting, fishing, skating, sleighing, target shooting, dancing, play party games, and picnics.<sup>105</sup> It was not until the time of the Civil War that baseball became a

<sup>103</sup> Ross's *The Iowa State Fair* in *The Palimpsest*, Vol. X, pp. 269–313; *Annual Report of the Iowa State Agricultural Society*, 1857, pp. 292, 426.

<sup>104</sup> Briggs's *The Grasshopper Plagues in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIII, pp. 349–392.

<sup>105</sup> For a description of pioneer amusements see Mahan's *Frontier Fun* in *The Palimpsest*, Vol. VIII, pp. 38–42, and the references in Petersen's *Two Hundred Topics in Iowa History*, pp. 84, 85.



familiar game in the army camps. In 1866 and 1867 clubs were organized in various towns and cities.<sup>106</sup> Horse racing, always a favorite frontier sport, became an important interest in Iowa in the eighties and nineties when Charles W. Williams, the owner of the famous horses, Axtell and Allerton, established the famous kite-shaped race track at Rush Park, Independence.<sup>107</sup>

For more intellectual entertainment the early Iowans turned to lyceums and debating societies, to the theaters, to public lectures. Soldiers at the frontier forts often presented plays during the long winter evenings. The settlers did the same. As early as 1838 a group of young men in Dubuque organized the Iowa Thespian Association, which gave a number of plays, including "Pizarro" and "The Glory of Columbia".<sup>108</sup> A lyceum was in existence in Davenport before 1841 and one of the early issues of the *Iowa Capitol Reporter* (December 18, 1841) announced a meeting to form a lyceum at Iowa City. Almost every community had its lyceum or debating club. By 1855 Iowa communities began to invite famous men to lecture. One of the first of these was Ralph Waldo Emerson who came to Davenport in December, 1855, invited thither by the Young Men's Literary Association.<sup>109</sup>

Music, in pioneer Iowa, took the form of "fiddle" tunes for the dances, songs, and hymns. Singing schools were a favored form of recreation in pioneer days.

The May Music Festival, begun at Cornell College,

<sup>106</sup> Eriksson's *Baseball Beginnings* in *The Palimpsest*, Vol. VIII, pp. 329-338.

<sup>107</sup> Petersen's *Lexington of the North* in *The Palimpsest*, Vol. XIII, pp. 333-394.

<sup>108</sup> Mahan's *The Iowa Thespians* in *The Palimpsest*, Vol. IV, pp. 14-24.

<sup>109</sup> Hoeltje's *Notes on the History of Lecturing in Iowa 1855-1885* and *Ralph Waldo Emerson in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XV, pp. 62-131, 236-276.

Mount Vernon, Iowa, in 1899, the Iowa Federation of Music Clubs, organized at Davenport in December, 1916, and the school music festival at Iowa City which attained prominence in 1926 indicate a growing interest in music. In 1928 Walter Damrosch declared, "Iowa is the most musical State in the Union".<sup>110</sup>

Nor have the people of Iowa failed to recognize the value of natural scenery. For the early pioneers this was commonplace. Woods and rocky hillsides were not surrounded by barbed wire fences with "no trespassing" signs on the gates. Indeed it was not until the beginning of the twentieth century that there was any demand for parks except in the cities and towns, and it was not until 1917 that the Iowa legislature made the first provision for State parks. By 1933 Iowa had established thirty-nine State parks and three small preserves, with a total area of some 8200 acres. These include historic sites as well as scenes of natural beauty.<sup>111</sup>

#### TODAY AND TOMORROW

One hundred years ago the Indians were leaving their hunting grounds in Iowa, leaving them with reluctance and regret. One hundred years ago the white settlers were coming into the coveted land of Iowa — not promised but possessed.

A century has passed. Life in Iowa — human life — has increased from a few straggling settlers in 1833 to 2,470,939 people in 1930. Bridges have supplanted fords and ferries. Paved roads have taken the place of trails across the prairies. Transportation has changed from the ox

<sup>110</sup> For music in Iowa see the several articles in *The Palimpsest*, Vol. XI, pp. 97-126.

<sup>111</sup> Christensen's *The State Parks of Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVI, pp. 331-416; *Report on the Iowa Twenty-five Year Conservation Plan*, 1933.



wagon to the automobile and the airplane. Factories hum where the Indian villages stood beside the rapids. Electric power has, to a large extent, taken the place of hand labor. Houses of brick, lumber, or stone have taken the place of the tepees of bark and skins. Schools and churches form the centers of cities and quiet villages.

Originally a land of quiet beauty, its softly rolling prairies clothed with waving grass, flowers, and shrubs, Iowa retains much of this natural beauty, in spite of the farmsteads which dot the landscape and the more than nine hundred towns and cities which form centers of industry on the banks of the rivers, nestle on the hillsides, or stand out in relief on the more level prairies of the northwest. In secluded places the wild crab apple still blossoms in the spring. Wild roses — the State flower of Iowa — scent the roadsides in June and the golden rod and purple asters bloom there in the autumn. Fields of corn and oats, alternating green and golden, are interspersed with pastures and stretches of forests.

It has been the custom of sophisticates to deride life in Iowa, as uncouth, uncultured, narrow. Not so. Association with the soil is not uncouthness. Plain living does not, of itself, mean lack of culture. Morality is not a synonym for narrowness. Indeed few States have been more tolerant of social and religious experiments. Contemptuous references to "Main Street", "the sticks", and the "Bible belt" do not explain why men and women born in Iowa constitute three and one-half per cent of those listed in *Who's Who in America* who were born in the United States, while the population of Iowa constitutes only two per cent of the population of the United States.

So much for the first century of Iowa history. What will the next century bring? The stage for the next act is well set — a fertile soil, moderate water power, a temper-

ate climate, and a population which is fundamentally Anglo-Saxon, industrious, interested in religion and education, inventive, sturdy, and intelligent. The play can be written only act by act.

RUTH A. GALLAHER

THE STATE HISTORICAL SOCIETY  
IOWA CITY IOWA



## A PIONEER DOCTOR OF MARSHALL COUNTY

ELMER YOCUM LAWRENCE

Elmer Yocum Lawrence came home from the war with a crooked leg, a cane, a great admiration for General Grant, and an ambition to be a doctor. He always had the crooked leg and at times needed a second cane, while his admiration for General Grant never wavered.

He had been born in Wayne County, Ohio, on August 25, 1831, his parents moving from Ohio to Indiana two years later and to Illinois when he was twelve years old. After a country school education, he became a successful country school teacher, serving for ten years in Iowa and Illinois. When the Civil War broke out, he enlisted in the 34th Illinois Infantry, and was wounded in his first engagement — the battle of Shiloh. Recovering from this, he reënlisted and was severely wounded and crippled for life in the battle of Stone River. As a result he was honorably discharged in 1863. It was then that he chose medicine for his profession.

It was customary then for a medical student to “read medicine” with an established physician for a time before entering a medical college. His brother, Dr. J. S. Lawrence, was in partnership with Dr. Frazey at Forreston, Illinois, and Elmer Lawrence went into their office for a period of study. He then attended the Chicago Medical College in 1865 and graduated in 1867. Here he acquired a new ideal, Dr. N. S. Davis, the President of the College.

Dr. Lawrence commenced his practice in Oregon, Illinois. He waited two weeks before a patient came to his office. One day a light wagon stopped at the gate and a

woman climbed down and assisted a small boy to alight. She hitched the horse and led the boy slowly up the path. As the child seemed to need help the doctor went out to meet them. They were apparently foreigners and the mother's speech was hard to understand. When they were seated in the office she made it known that the boy was ill and in need of the new doctor's attention. He took the patient's hand and found a rapid pulse. Then he asked the boy to show his tongue. Only a stupid stare in response.

"Open your mouth, my lad, and let me see your tongue." No comprehension. Again and again the request was repeated in vain. Then the mother took a hand in the conversation.

"Wullie can no get what ye're sayin', Doctor. Wullie, hopen thy gobbler an' thrust out thy lollicker!" Willie opened his mouth and stuck out his tongue, thus giving the needed information. The doctor liked to tell this story but never stated whether his first patient profited by the treatment.

In 1867, after a few months at Oregon, Dr. Lawrence came to a farming district some twenty miles north of Marshalltown, Iowa. The neighborhood had been settled in 1866 by a group of families from Wisconsin, and for that reason the community was known as "Badger Hill". They were a fine class of people, thrifty, pious, and intelligent. There were doctors in the thriving county seat, Marshalltown, but none in any other direction for many miles. His territory took in part of Grundy and Tama counties as well as northern Marshall County. The country was new and thinly settled; the roads were bad the year round. The doctor bought an eighty acre farm, built a house and barn, set out fruit and shade trees, and in 1870 married a pretty school teacher, Alice Money. The land was rented to neighbors as his practice kept the doctor busy. The office



was the living room of the house and the young wife was office girl, bookkeeper, and surgical assistant.

I was the only child born to the couple. My first recollections center around my father's office equipment. There was a tall black medicine cupboard surmounting a table with drawers beneath. On the shelves of the cupboard were bottles containing liquids, powders, and the unpowdered drugs which he pulverized in a mortar. The drawers of the table held a few surgical instruments, a set of forceps for pulling teeth, obstetrical forceps, smooth boards for splints, clean papers for powders, and a roll of bandages made from old sheets and tablecloths. All these things were as familiar to me as my dolls and toys. Father had a few medical books brought from Chicago and he took a medical magazine published there. Drugs and supplies were procured in Marshalltown, twenty long, hard miles away. Part of the road was through the bottom land of the Iowa River and was always rough, very muddy part of the year, and almost impassable in winter. When we made our rare trips to town they were planned long in advance. Mother made a list of every possible need and father spent much time looking over his stock of drugs.

About ten years after father established his practice in Iowa, a man from the Truax drug company of Chicago began making annual trips out from Marshalltown to take orders. We were accustomed to tin pedlars and to agents for fruit and shade trees, sewing machines, and cabinet organs, but this was the first travelling salesman I remember — that is, a man who sold from samples. His visit was an important event. I recall plainly the first capsules we ever saw. He brought a line of different sizes and explained their use. Father bought a supply, for the capsule was a solution of the problem attending the use of quinine and other bitter drugs.

A few days later a man called to get medicine for his wife.

“Now, Doc”, he said, “She says she don’t want no quinine, for she just can’t take it, in strong coffee nor no other way. She can’t seem to git it down. Can’t you give her something that won’t taste so bad?”

The doctor hastened to say that he had a new way of giving powders and there would be no taste at all—it would be like swallowing a pill. The man watched curiously as the capsules were filled from a little heap of powder. He took them rather dubiously and departed. A week later he returned for more medicine.

“Doc, she’s better, but if it’s all the same to you she’d rather have the medicine in the powder papers like you used to fix it. It’s such a lot of trouble to empty them little cases into a spoon!”

Homeopathy had long been established in the east but was a novelty in the west. Father, being an ardent Allopath, had no use for any other system of medicine, but one day he brought home from Marshalltown a small sample case of the despised Homeopathic medicines which his druggist had persuaded him to try. Soon after this he was called to attend a woman who had a mild form of a disease which he thought might yield to these remedies. He left a bottle of the tiny pellets with directions for their use. In two days the woman’s husband came to say that she was out of medicine.

“Out of medicine!”, exclaimed my father, “I left a large supply, enough to last a week.”

“Well”, explained the man, “when you count out a hundred and twenty of those little pills for each dose, they go fast.”

“A hundred and twenty! I can’t understand—I wrote the directions plainly—two after each meal.”



“Yes”, replied the man, “but on the bottle it said one hundred and twenty, and we thought you had made a mistake!”

The label read “One hundred and twentieth dilution”. The patient was none the worse for the heavy dose but father had a strong argument against the Homeopathic system.

One big bottle in the medicine cupboard was never allowed to become empty. It was the chloroform bottle. Ether and chloroform were both in use as anaesthetics at the time, but ether was not used in country districts since it is inflammable, and when kerosene lamps or candles were used for lighting and open stoves for heating, the use of ether was impossible. To be out of chloroform meant hours of agony for women in childbirth or for accident cases. One evening we were preparing to retire when we heard the sound of a wagon approaching at breakneck speed, horses on the gallop. In the bottom of the wagon lay a man who had been cruelly mangled in a threshing machine. His right hand and arm were torn and crushed and he was unconscious from loss of blood. He was laid on the couch in the living room by the two men who had brought him. Mother knew how to give chloroform and set quietly about her task, but it was necessary for someone to hold the kerosene lamp so that father could see to cleanse the wounds and do his work. One of the men came toward the couch to do this, but fainted away. The other man sickened from the odor of the chloroform and had to leave the room. There was no time to lose. Father looked at me and then at mother. She nodded her head.

“Daughter, can you hold the lamp?”, he asked. I answered that I could and grasped it in my small seven year-old hands.

Mother said, “Hold the lamp steady, but look at *me!*”

I held the light, mother gave the anaesthetic and father worked quickly and skilfully. The patient came through with a maimed hand but no infection followed.

In that day asepsis was unheard of. Father was very neat and clean and always scrubbed his hands thoroughly in hot water before he touched a patient. I used to wonder why he spent so much time in doing what seemed most unnecessary to me! His instruments were washed in hot water but not boiled, yet women lived through awful complications in childbirth and men recovered from terrible accidents. There was no "pneumonia"—it was called "inflammation of the lungs"; no "appendicitis" for the appendix had not been discovered—people had "inflammation of the bowels". Teeth were not filled. If they ached hard enough, the family doctor pulled them, and when a majority had gone, a trip was made to the Marshalltown dentist and the remainder were extracted under gas. A set of fearfully white, ghastly false teeth was then acquired and ever after referred to as "my set". They never looked natural, never fitted, and always caused discomfort. An entry from my mother's journal under date of Sunday, January 29, 1871, is of interest. "Some folks were here today to have teeth extracted. The usual thing for Sunday!" Evidently the sturdy pioneer could endure the toothache until Sunday brought the leisure to have it relieved!

There were no trained nurses, not even practical nurses. The good neighbors took care of each other, sitting up night after night and doing all that kind hearts could suggest. Every neighborhood had one or two women who had a natural knack for nursing, and they helped the doctor when babies arrived.

Father kept good horses, for he was out day and night on long trips. He cared for them himself and they were



like members of the family. He could not stand without support from his cane, so in harnessing he leaned on one horse while putting the harness on the other. These horses were well trained and could find their way home in the darkest night. Their driver never attempted to guide them in the dark but let the lines hang loose. Country folks, it seemed, used to wait until night to call the doctor — sickness seems worse after night-fall. Many a time I have been wakened by the sharp sound of a horse's hoofs clipping along the road at a brisk trot, or galloping, if the need was dire. Father was always up and had the lamp lighted before the horse slowed down at the turn into our lane. He would raise the window and call, "What's wanted?" The rider scarcely gave the message before father was out and on the way to the barn to hitch up. Then away in the single buggy over rough roads or through hub-deep mud. If it was winter, the deep drifts must be encountered with the sleigh. High water was universal in the spring, and the frail wooden bridges, often without guard rails, made driving dangerous in daylight. The hazards of night travel can be imagined. It was hard enough for an able-bodied man, but for a cripple it was heroic. The following extracts from mother's journal give a striking picture of the conditions under which she and her husband lived and worked.

"Tuesday, Feb. 7th, 1871. Cold, roads very rough, with snow on top. Elmer called out at three in the morning, gone all day. By night-fall I was so nervous I did not know what to do with myself. Alone all night for the first time in the eight months we have been married.

"Wednesday, Feb. 8th. 1871. Got up at five and built a fire. Very anxious about Elmer. He returned at eleven A. M. and had just lain down to rest when a man came for him to go down the creek. Storming badly — worst storm

we have had all winter. He got back at nine o'clock, very tired.

"Friday, Feb. 24th. 1871. Elmer gone all evening. Was worried about him as he was away much longer than I expected. The creeks are all so high — am afraid to have him out after night. Even if I am a doctor's wife I can't help being anxious when he is out at night.

"Sunday, Feb. 26th. 1871. Iowa river higher than for sixteen years. Mail did not come up this week because of high water. (The mail came every Monday to the neighborhood post-office)

"Monday, March 6th. 1871. Elmer went to see a patient seven miles away. Roads so bad it took him all afternoon to go and come. Did not get back until after dark."

One summer night we were wakened by someone pounding on the window. Father had been out the night before and had not heard the approaching horseman. He went to the window and asked what was wanted.

"Oh, Doc!" came the voice of an old German farmer. "I vant you to coom quick und see my vooman — she awful seeck. You coom right avay queeck?" Father turned away to dress, but the old man spoke again.

"Say, Doc, how mooch you sharge to coom see my vooman?"

"It's four miles to your place, Henry, that'll be two dollars."

"Oh, Doc!" wailed the distressed man, "I'm a poor man, I ain't got the money. Can't you coom for feefty cents?"

"No", answered my father, who was rapidly losing his patience, "You've got a good farm and you can afford to have a doctor for your wife when she needs help. Think how hard she works all the time."

"Oh, but Doc! Two dollars is a awful lot of money. Can't you make it yoost one dollar?"



“No’’, exclaimed father, “I can’t, and you’ve no business to stand here arguing while your wife is suffering.”

“Vell, Doc, I guess maybe you better coom. My vooman she is goot vooman. I rather lose one of my best cows as lose my wife! I go out und help you hitch up!”

We lived on a side road where few travellers came. No tramps were ever seen until the right-of-way of a new railroad was begun. The Chicago and Northwestern Railway was completed to Marshalltown in 1862 and had been our nearest railway, but in 1879 work was begun on a branch of this road from Tama (then called Tama City) to Jewell Junction. This came within three miles of our home and was completed in 1880. Stragglers hung around the workmen’s camps and wandered through the nearby neighborhood.

One morning my father was called to a case twelve miles away. He left at seven o’clock and we had no idea when he would return. Shortly before nine o’clock mother saw an ugly looking tramp coming up the road. She locked the doors and windows and we went upstairs. We watched through the curtain. The man had an evil face and we were terror-stricken. Mother hid me under the bed and told me to keep quiet, no matter what happened. The tramp knocked — knocked again and pounded on the door. Then he went to the pump and rattled the handle, looking toward the house and shouting vile threats. He tried the back door, the windows, and the cellar door. This went on for some two hours. He sat down occasionally on the pump platform and drank from a black bottle. The idea of breaking a window seemed not to have entered his befuddled mind. Suddenly he saw the woodpile, ran toward it, and picked up a heavy stick, then ran toward the house shouting, “I’ll get you now!” Mother crept under the bed beside me and we waited in an agony of fear, hardly daring

to breathe. It seemed that hours, rather than minutes, passed. But there was no crash of window glass or shattering wood, instead of that fearful sound we heard rapid footsteps and the voice of our good neighbor, John Fleming, calling loudly, "Are you folks all right?"

Fleming had been plowing his north forty that morning and when he reached the crest of the hill he looked toward the doctor's house. Sometimes he could see the doctor's little girl playing under the apple trees. Often his own children were with her. She was not there this morning, but he saw something that made him drop the lines and run across the pasture toward the house, shouting as he ran. The tramp saw him, threw down the stick, and made off up the road. When Fleming reached the house the vagrant was out of sight.

The next time father went to Marshalltown he brought mother a strange gift, a revolver. It lay in the table drawer for many years, mother and I being almost as much afraid of it as we had been of the tramp.

In the winter of 1880-1881 an epidemic of diphtheria broke out in the Badger Hill neighborhood. A visitor from Wisconsin had unknowingly brought the disease. It was in the dead of winter with intense cold and heavy snows coming one after another. The disease spread from one family to another — the doctor was the only hope. He visited them every day and gave the treatment that was used at the time. The throat was swabbed with tincture of iron, stimulants were administered, and the doctor made every effort to keep the diphtheria membrane from closing the throat and filling the nasal passages. Finally the day came when the little sleigh could no longer go through the deep drifts. My own childish journal contains some mention of this.

"Feb. 4, 1881. Papa could not go to see the sick folks



because the snow had drifted so deep. He says there will be more snow tonight.

“Feb. 5, 1881. Blizzard. Snow blowing. Four men from Badger Hill came to break the road for papa.”

These men came with four horses hitched to a bobsled and shoveled the road ahead of the doctor's sleigh. It took them from eight o'clock in the morning until four in the afternoon to “break” three miles of road. The next morning all the way was filled with snow and had to be dug out again. This was repeated day after day for more than a week, but the doctor reached his patients. They could not all be saved but many made a good recovery.

In April of 1881, father carried out a long cherished plan of going to a course of lectures at the Chicago Medical College. He had never returned since his graduation in 1867. Doctors did not go away then for medical study frequently and easily as they do now, and this trip was as much of an undertaking as a journey to Europe is today. So many things had to be arranged; someone to stay with us and care for the horses and the cow, medicine for his “chronic cases”, advice and remedies for the anxious mothers who dreaded his going, and more than all—a careful counting of the cost. At times he gave up and said it was impossible. Mother urged him to go and largely because of her insistence he finally went. He was gone three weeks, from April 2nd to April 25th. When he returned there was great rejoicing in our little family and among the neighbors. Not a case of illness had occurred during his absence, the babies had delayed their coming, and no one broke any bones. He brought me a wonderful doll with hair, and a box of seashells—marvellous things—from a State Street store. Mother received a back-comb set with rhinestones, the wearing of which forever marked her as a leader of fashion in our community. But what

really interested mother and me the most was the new equipment father brought for his professional use. There was a set of splints for broken bones and dislocations. They were molded to fit and made of a sort of hardened felt. Heretofore father had used boards for splints and sometimes heavy sand bags to keep limbs in place. I remember fitting the little splints to my own elbows and knees, and while I did not wish the misfortune of broken bones to come to any of the children whom I knew, I was very curious to see those cunning things in use!

In July of 1881 a severe hail storm and heavy rains occurred and the floods that followed washed away bridges and destroyed property. The valley or slough between our home and the main road where most of the families lived, was a rushing torrent of water. The same good neighbors who had "broken roads" during the heavy snows of the preceding winter came again to the rescue of their doctor. They calked a wagon box, made oars, and paddled across to our side of the water. The men waded ashore, picked my father up, medicine case, cane, and all, and carried him to the boat. Mother and I watched from the shore with anxious fear. I can see my father waving his cane and calling back to us that the "Ark" would soon be on dry land! The perilous journey was made several times before the water went away. Then came the usual muddy roads, but mud was the common thing and no one expected to see the spokes of any vehicle for weeks in the spring. The wheels were solid mud from hub to tire.

The new railroad brought the town of Gladbrook, with school, churches, other doctors: the pioneer days were over.

Last summer I visited the old home of my childhood. In a comfortable car we were whisked over as many miles in one day as my father could have travelled in a week. Paved and gravelled roads are everywhere; doctors in all



the villages fly about in high powered cars at the summons of the telephone; trained nurses are within call; hospitals are a few miles away. And in the cemetery on the hill are the old friends whose lives were in the pioneer doctor's hands, and whose children remember him with gratitude and respect.

My father died on July 25, 1891, while on a visit to Boulder, Colorado. He was buried in the cemetery at York, Nebraska, where I was living at the time, but on the monument on the lot in the Badger Hill cemetery where my grandfather Lawrence was buried, is inscribed the dates of the birth and death and the place of burial of both my father and mother. When the sons and daughters of the old neighbors visit the quiet, peaceful cemetery on the hill they are reminded by these inscriptions of the old family doctor and his wife, of whom they have heard and whose memory is thus perpetuated.

An old lady of eighty-seven once said to me, "Yes, times have changed in fifty years and maybe doctors have improved, but I can remember when the sweetest sound I ever heard was the tap of your father's cane on the steps when my children were sick."

FLOY LAWRENCE EMHOFF

LONGMONT COLORADO

## SOME PUBLICATIONS

*Sons of the Wild Jackass.* By Ray Tucker and Frederick R. Barkley. Boston. L. C. Page & Company. 1932. Pp. 398. Plates. Iowans will take particular pleasure in reading this racy account of the insurgent Senators at Washington who caused Senator George H. Moses to refer to them as "Sons of the Wild Jackass" at a meeting of New England manufacturers on November 7, 1929. The authors of the book are experienced writers and journalists who have brought to their subject a wide range of experience and a fair but sympathetic treatment of the characters. A brief summary of "The Herd" is followed by a short sketch of the life of "Mule-Skinner Moses". It was the purpose of the publishers to name the "Sons of the Wild Jackass" (George W. Norris, William E. Borah, Hiram Johnson, Thomas J. Walsh, Robert M. LaFollette, Henrik Shipstead, Bronson M. Cutting, James Couzens, Clarence C. Dill, Burton K. Wheeler, Gerald P. Nye, Edward P. Costigan, Smith W. Brookhart, and Fiorello H. La Guardia) and give a "biographical account of their rise to prominence, with an appraisal, or estimate, of their good or bad qualities, as they might be, from the standpoint of public interest". While the publisher and writers have not agreed on the appraisal of the men they have permitted the "great public" to be the "judge and jury when ideas clash, principles are opposed and individuals take different sides". The book is interesting and stimulating and well worth reading if only to place ex-Senator Brookhart in a proper perspective with his colleagues at Washington.

*Jesse Macy: An Autobiography.* Edited and arranged by Katharine Macy Noyes. Springfield, Illinois: Charles C. Thomas. 1933. Pp. 192. Plates. This volume is published as a memorial to Jesse Macy — pioneer, Quaker non-combatant in the Union army, educator, student of government, and author. The first five chapters were written by Mr. Macy himself in the form of an autobiography.



They deal with the following subjects: Recollections of a Pioneer, My Religion, The Civil War, Education, and Authorship. These contain much of his philosophy of life and reveal the high character and the habits of thought which were combined in the life of this middle western teacher.

Chapter VI, on American Politics, was compiled by Charles E. Payne from writings and addresses. Chapter VII, Grinnell College and Town, was written by John S. Nollen, and the last chapter on Home, Family, and Friends was written by Mrs. Katharine Macy Noyes, Mr. Macy's daughter. The foreword is by Albert Shaw, who had been a student under Professor Macy. The volume also contains a list of Professor Macy's publications and an index, and is attractively printed and bound.

Jesse Macy was born in Henry County, Indiana, on June 21, 1842, the son of Quaker parents. In 1856 the family came to Jasper County, Iowa, and three years later young Macy entered Iowa College. In 1864 Macy, though a Friend, was drafted into the Union army. Because of his religious principles he refused to carry a gun or wear the military uniform, but ultimately found acceptable duties in caring for the wounded and was honorably discharged on July 8, 1865. In 1866 he reentered college, graduating in 1870 and from that time until his death, he was closely connected with Iowa College, later Grinnell. He died on November 3, 1919.

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*The Mississippi River Grain Trade*, by C. C. Webber, president of the Upper Mississippi Waterway Association, has been printed in pamphlet form.

*Horace Greeley and the Beginnings of the New Agriculture*, by Earle D. Ross; and *Horace Greeley: Land Reform and Unemployment, 1837-1862*, by Roy M. Robbins, are the two articles in the January issue of *Agricultural History*.

*Some Aspects of American State Debts in the Forties*, by Reginald C. McGrane; and *The Reaction of American Scientists to Darwinism*, by Bert James Loewenberg, are two of the articles in *The American Historical Review* for July.

Volume VII of *Norwegian-American Studies and Records* includes an article by Mrs. R. O. Brandt on *Social Aspects of Prairie Pioneering: The Reminiscences of a Pioneer Pastor's Wife*, and two biographical sketches of Ole Edvart Rølvaag.

*The Site of the Great Illinois Village*, by Marion A. Habig; *Kaskaskia, Indian Mission Village, 1703-1718*, by Mary Borgias Palm; *Centenary of the Catholic Settlements of Clinton County, Illinois*, by Frederick Beuckman; and *Catholic Beginnings in Chicago*, by Gilbert J. Garraghan, are four articles in *Mid-America* for July.

*Memoirs of William George Bruce; The Press and the Constitution*, by Kate Everest Levi; *Echoes of the Black Hawk War*, by Albert O. Barton; *Necedah in Early Days*, by Bertha V. Thomson; and *Fond du Lac, Its Sawmills and Freedmen — A Sketch*, by Bill Hooker, are the articles in *The Wisconsin Magazine of History* for June. *German Pioneer Letters* and *A Norwegian Pioneer Letter* appear under *Documents* and *Turner's Frontier Philosophy* is the subject of the editorial comment.

*The High School Teacher and Indiana History*, by James Albert Woodburn; *Father Badin Comes to Notre Dame*, by Thomas T. McAvoy; *Salem Methodist Church*, by Roscoe R. Leak; *The Edward Goodwin Family*, by Clarence L. Goodwin; *The Endicotts of Indiana*, by Mabel Nisbet McLaughlin; and *By Spring-Wagon to Missouri and Kansas*, a diary by Mark S. Davis, are the articles and papers in the *Indiana Magazine of History* for March, 1933.

*The Mississippi Valley Historical Review* for June contains the following articles and papers: *The Third Party Tradition in American Politics*, by John D. Hicks; *Shipbuilding on the Western Waters, 1793-1817*, by Leland D. Baldwin; *'Pro-southern' Influences in the Free West, 1840-1865*, by H. C. Hubbart; *Horace Greeley and the West*, by Earle D. Ross; *Judge Sharkey Papers*, by F. Garvin Davenport; and *The Purpose of the Lewis and Clark Expedition*, by Ralph B. Guinness.

The thirty-ninth volume of the *Transactions of the Illinois State Historical Society* for 1932 includes the following address of inter-



est in the history of the Middle West: *Historic Landmarks Along the Highways of Illinois*, by George Thomas Palmer; *Misconceptions Concerning the Early History of the University of Illinois*, by Fred H. Turner; *The Black Hawk War, 1831-1832*, by John H. Hauberg; *The Chicago Times During the Civil War*, by Mrs. L. E. Ellis; and *John Kinzie's Place in History*, by James Ryan Haydon. A longer paper, *Campaign Technique in Illinois — 1860*, by William Eldon Baringer, follows the addresses.

*The Missouri Historical Review* for April includes the following articles: *Missouri's Confederate State Capitol at Marshall, Texas*, by Frank Anderson; *Henry Lewis and His Mammoth Panorama of the Mississippi River*, by Monas N. Squires; *Abiel Leonard, Part II*, by Frederic A. Culmer; and *Joseph B. McCullagh, Part XI*, by Walter B. Stevens. *The Multitude Incorporated*, by Earl A. Collins, the story of a corporation organized to manage the business activities of Ruskin College, and *The Boonslick Road in St. Charles County*, by Kate L. Gregg, are two of the articles in the issue for July.

*The Greater Copper Pike*, by George A. West; *The Weaving Technique of Winnebago Bags*, by B. F. Carter; *Eighty Years After Lapham*, by W. B. White; and *Museum Origins in Milwaukee*, by John Goadby Gregory, are the articles in *The Wisconsin Archeologist* for January. The April number contains biographical data on Huron H. Smith, and three articles — *Recent Excavations at Aztalan*, by S. A. Barrett; *Comments on the Discoidal*, by A. H. Sanford; and *An Exceptional Wisconsin Pot*, by Iran T. Otto.

The March number of *Minnesota History* contains three articles — *History in the Machine Age*, by August C. Krey; *The Garrard Family in Frontenac*, by Frances Densmore; and *Pioneers of German Lutheranism in Minnesota*, by Esther A. Selke. The issue also includes a report of the Minnesota Historical Society for 1932, by Theodore C. Blegen, and an account of the meeting of the Minnesota Historical Society at St. Paul on January 16, 1933, by Donald E. Van Koughnet. The June issue contains the following series of radio talks under the general title, *The Emergence of the North*

*Star State: The Creation of the Territory*, by Donald E. Van Koughnet; *The Day of the Pioneer*, by Theodore C. Blegen; *Frontier Education*, by Lois M. Fawcett; *Early Transportation and Admission to the Union*, both by Arthur J. Larsen; and *The Heritage of Minnesota*, by Governor Floyd B. Olson. This number also contains *Minnesota Statehood Editorials*, collected by Bertha L. Heilbron.

The April number of *The Louisiana Historical Quarterly* contains the following articles and papers: *The Interregnum in Louisiana in 1861* (Part I), by Lane C. Kendall; *The Jamaica Pirates and Louisiana Commerce, 1739*, by Sally Dart and Edith Dart Price in collaboration; *New Orleans and the War of 1812* (Part I), by Reed McC. B. Adams; *Rapides Parish, Louisiana, A History* (Part III), by G. P. Whittington; *History of the American Party in Louisiana* (Part III), by W. Darrell Overdyke; *Fort Jesup, Fort Selden, Camp Sabine, Camp Salubrity* (Part II), by J. Fair Hardin; *Documents Concerning the Crozat Regime in Louisiana, 1712-1717* (Part II), by Albert G. Sanders; *A History of Concordia Parish, Louisiana* (Part VI), by Robert D. Calhoun; *Records of the Superior Council of Louisiana* (Part LVII), by Heloise H. Cruzat; and *Index to Spanish Judicial Records of Louisiana, XXXIX*, by Laura L. Porteous.

#### IOWANA

A pamphlet on the history, biography, and reminiscences of Guthrie Center, Iowa, by Elbert Wright Weeks, was published in October, 1932.

*Stories of the Beginning of Delaware County*, by Belle Bailey, has been printed in a pamphlet of forty-eight pages. This covers the period from 1834 to 1850.

The April number of the *Annals of Iowa* contains a report, *Pioneer Lawmakers Association*, by David C. Mott; and *The Aftermath of the Spirit Lake Massacre, March 8-15, 1857*, by Frank I. Herriott.

*The Iowa Synod's Attempt at Missionary Work Among the In-*



*dians, 1859-1864*, by Henry F. Staack, is one of the articles in the second number of the *Augustana Historical Society Publications*.

A pamphlet commemorating the seventy-fifth anniversary of the founding of Marshall Lodge No. 108, of Marshalltown, Iowa, has been issued recently by the lodge. The historical sketch is the work of the secretary, Nathan L. Hicks.

*The Journal of the Iowa State Medical Society* for June contains an address on *Progress of Medicine*, by W. W. Bowen, and a continuation of *The History of Medicine in Lucas County*, by Tom Morford Throckmorton and Tom Bentley Throckmorton. The Lucas County history is continued in the July issue.

*Reminiscences of Early Days in Iowa*, by Marion Richardson Drury, published by the Toledo Chronicle Press in 1931, is the story of pioneer life in Winneshiek County, Iowa, beginning with the migration of the Drury family in August, 1853. In 1875 the family moved to Western in Linn County in order that the family could attend Western College.

The Iowa Board of Conservation and the Iowa Fish and Game Commission have recently issued a *Report on the Iowa Twenty-five Year Conservation Plan*. The volume of 176 pages is cloth bound and contains material on many phases of wild life, the history of the conservation movement in Iowa, a description of Iowa State parks, and an account of the plan for future work along this line. The book is well supplied with maps and charts and contains numerous illustrations, including a number of cartoons by Mr. J. N. Darling (Ding).

*Pioneering in Child Welfare A History of the Iowa Child Welfare Research Station 1917-1933* has been published in pamphlet form by the State University of Iowa. It contains the story of the life and work of an Iowa woman, Mrs. Cora Bussey Hillis. Mrs. Hillis was born in Bloomfield, Iowa, on August 8, 1858. She was the daughter of Cyrus Bussey, a prominent officer during the Civil War and in 1880 she became the wife of Isaac Lea Hillis, at one time Mayor of Des Moines. It was Mrs. Hillis who planned and promoted the Child Welfare Research Station established at the

State University of Iowa in 1917. She died on August 12, 1924. The story of her life and work in this pamphlet, *The Woman With A Vision*, was written by Dorothy E. Bradbury who also wrote the *Realization of the Vision*, largely the account of the work of Dr. Bird T. Baldwin. *A Look to the Future* was written by the present director, Dr. George D. Stoddard.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Bain, Harry Foster,

*Ores and Industry in the Far East*. New York: Council on Foreign Relations. 1933.

Beadle, John A.,

*First Words* (The Midland, March-June, 1933).

Becker, Carl Lotus,

*Heavenly City of the Eighteenth-Century Philosophers* (Storrs Lectures). New Haven: Yale University Press. 1933.

*Henry Adams Once More* (Saturday Review of Literature, April 8, 1933).

Betts, George Herbert,

*General Information Possessed by Graduate Students in Education* (School and Society, June 24, 1933).

Blanden, Charles Granger, (Blackburn, Laura, pseudonym)

*Where Are the Great?* (poem) (Christian Century, April 5, 1933).

Bordwell, Percy,

*The Common Law Scheme of Estates* (Iowa Law Review, May, 1933).

Bowen, W. W.,

*Progress of Medicine* (The Journal of the Iowa State Medical Society, June, 1933).

Brant, Irving,

*A War Debt Catechism* (The New Republic, August 2, 1933).



- Brown, Charles Harvey,  
*German Periodicals in American Libraries: Deflation or Extinction?* (Library Journal, June 15, 1933).
- Brueckner, Leo John,  
*Supervisory Analysis of Teaching* (Education, June, 1933).
- Cook, Louis H.,  
*The Big Berthas of Agriculture* (The Saturday Evening Post, August 5, 1933).
- Crawford, Nelson Antrim,  
*Cats* (The American Mercury, July, 1933).
- Crowell, Grace Noll,  
*Lean Years* (poem) (Good Housekeeping, May, 1933).  
*Silver Trail* (poem) (Good Housekeeping, July, 1933).
- Darling, Jay Norwood,  
*Cartoonist Shows a State How to Enjoy Life* (The American Magazine, April, 1933).
- Dickinson, Lester J.,  
*Future of the Farm Family* (Review of Reviews, March, 1933).
- Douglass, Harlan Paul,  
*Missions at the Crossroads* (Christian Century, April 12, 1933).
- Engle, Paul,  
*America Remembers* (poem) (Poetry, June, 1933).  
*Lost Things* (poem) (Poetry, March, 1933).
- Fairbanks, Arthur,  
*Greek Art*. New York: Longmans, Green and Co. 1933.
- Flickinger, Minnie Keyes,  
*Who First Buried Polynices?* (Philological Quarterly, April, 1933).
- Hall, James Norman,  
*Voice* (The Atlantic Monthly, May, 1933).

- Hegner, Robert W.,  
*Invertebrate Zoology*. New York: The Macmillan Company.  
1933.
- Herbst, Josephine, (Mrs. John Herrmann)  
*Pity Is Not Enough*. New York: Harcourt, Brace and Com-  
pany. 1933.
- Herriott, Frank I.,  
*The Aftermath of the Spirit Lake Massacre* (Annals of Iowa,  
April, 1933).
- Hodgson, James Goodwin, (compiler)  
*Stabilization of Money* (The Reference Shelf, Vol. VIII, No.  
7). New York: H. W. Wilson Company. 1933.
- Holbrook, Christine,  
*Four Screws and It's Installed* (Better Homes and Gardens,  
August, 1933).
- Hueston, Ethel Powelson, (Mrs. E. J. Best)  
*Blithe Baldwin*. Indianapolis: The Bobbs-Merrill Company.  
1933.
- Huttenlocher, Fae,  
*Gardening as a Recreation* (Recreation, April, 1933).
- Keyser, Leander S.,  
*A Reasonable Faith*. New York: Fleming H. Revell & Com-  
pany. 1933.
- Kirkpatrick, E. L.,  
*A Farm Philosophy* (The Survey, July, 1933).
- Klinkner, Anthony F.,  
*Ellison Orr* (poem) (Waukon Republican, July 12, 1933).
- Knibbs, Henry Herbert,  
*Why, Pericles!* (The Saturday Evening Post, April 1, 1933).
- Koerth, Wilhelmina, (Joint author)  
*Musical Capacities Measures of Children Repeated after Mu-  
sical Training* (University of Iowa Studies, Aims and Prog-  
ress of Research, No. 42). Iowa City: State University of  
Iowa. 1933.



Laudon, Lowell R.,

*The Stratigraphy and Paleontology of the Gilmore City Formation of Iowa* (University of Iowa Studies in Natural History, Vol. XV, No. 2). Iowa City: State University of Iowa. 1933.

McElroy, Margaret,

*Furnishing Your Own Outdoors* (House and Garden, May, 1933).

Marshall, Cecil F.,

*Police Administration in Davenport* (The Iowa Journal of History and Politics, July, 1933).

Maxson, Virginia,

*Robert G. Cousins* (The Palimpsest, July, 1933).

May, Earl Chapin,

*Jehol, New Battle Ground of Asia* (Travel, May, 1933).

May, Stella Burke,

*First of America's Great Parks* (Travel, July, 1933).

Miles, H. L.,

*Depression and Delinquency* (Bulletin of Iowa State Institutions, July, 1932).

Miller, Sidney L.,

*Inland Transportation; Principles and Policies*. New York: McGraw-Hill Book Company. 1933.

Mott, David C.,

*Pioneer Lawmakers Association* (Annals of Iowa, April, 1933).

Nollen, John Scholte,

*Culture in the Corn Belt* (Review of Reviews, August, 1933).  
*Revolt in the Cornfields* (Review of Reviews, June, 1933).

Osborn, Herbert,

*Specimen Mount for Insects and Other Objects of Natural History* (Science, June 16, 1933).

Patton, Odis K.,

*Consideration Under the Restatement of the Law of Contracts and Under the Iowa Decisions and Statutes* (Iowa Law Review, May, 1933).

Pierce, Bessie Louise, (Joint author)

*As Others See Chicago: Impressions of Visitors 1673-1933.*  
Chicago: University of Chicago Press. 1933.

Piper, Edwin Ford,

*From Canterbury Pilgrims* (poem) (The Midland, March-June, 1933).

Posey, Chesley J.,

*Tests of Anchorages for Reinforcing Bars* (University of Iowa Studies in Engineering, Bulletin No. 3). Iowa City: State University of Iowa. 1933.

Pugh, Johnathan, (Joint author)

*Man and His World.* New York: Harper and Brothers. 1933.

Quaife, Milo M.,

*Checagon; From Indian Wigwam to Modern City, 1673-1835.*  
Chicago: Chicago University Press. 1933.

Ross, Earle D.,

*Horace Greeley and the West* (The Mississippi Valley Historical Review, June, 1933).

Sayre, Paul L.,

*Divorce by Judicial Process* (Iowa Law Review, May, 1933).

Shorey, Paul, (Editor)

*What Plato Said.* Chicago: University of Chicago Press. 1933.

Shultz, Gladys Denny,

*Bluebloods* (Pictorial Review, August, 1933).

*Mischief-Makers in Foods and Air* (Better Homes and Gardens, August, 1933).

*Preview of Your 12 to 18-Year-Old* (Better Homes and Gardens, May, 1933).



Skeels, Harold Manville,

*A Study of Some Factors in Form Board Accomplishments of Preschool Children* (University of Iowa Studies in Child Welfare, Vol. VII, No. 2). Iowa City: State University of Iowa. 1933.

Sontag, Raymond James,

*European Diplomatic History, 1871-1932*. New York: D. Appleton & Company, Inc. 1933.

Stanton, Hazel M., (Joint author)

*Musical Capacity Measures of Children Repeated after Musical Training* (University of Iowa Studies, Aims and Progress of Research, No. 42). Iowa City: State University of Iowa. 1933.

Stong, Phil,

*Backfire* (The American Magazine, July, 1933).

*Stranger's Return*. New York: Harcourt, Brace and Company. 1933.

Taylor, Alonzo Englebert,

*Empire Preference* (The Saturday Evening Post, April 29, 1933).

Van Vechten, Carl,

*The Music of Spain*. New York: Peter Smith Co. 1933.

Whitford, William Garrison,

*Changing Objectives and Trends in Art Education* (School Arts Magazine, April, 1933).

Wilson, Ben Hur,

*The Ericsson* (The Palimpsest, May, 1933).

*Should Mineralogy Be Taught in Public Schools?* (Rocks and Minerals Magazine, June, 1933).

Yoder, Dale,

*Labor Economics and Labor Problems*. New York: McGraw-Hill Book Company. 1933.

Zerwekh, R. E.,

*A Defense of Iowa Children's Homes* (Bulletin of Iowa State Institutions, July, 1932).

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Osage was educational center, by H. A. Dwelle, in the *Mason City Globe-Gazette*, March 1, 1933.

Many noted horsemen raced at Nutwood Park, in the *Dubuque Telegraph-Herald*, March 7, 1933.

Sketch of the life of Senator O. P. Myers, in the *Newton News*, March 8, and the *Colfax Tribune* and *Jasper County* (Newton) *Register*, March 9, 1933.

Moore's Mill was famous Dubuque landmark, in the *Akron Register-Tribune*, March 9, 1933.

Indians roamed Decatur County, in the *Decatur County* (Leon) *Journal-Reporter*, March 9, 1933.

O. B. Harding saw great changes in Iowa, in the *Sioux City Journal*, March 9, 1933.

Early history of Glidden, in the *Glidden Graphic*, March 9, 1933.

Politics in Iowa fifty years ago, by A. B. Funk, in the *Des Moines Register*, March 11, 1933.

The career of Captain Jerome E. Short, raftsman, by Fred A. Bill, in the *Clinton Herald*, March 11, 1933.

Early days at the University of Iowa, by Grace E. Chaffee, in the *Des Moines Register*, March 12, 1933.

Religious activity of pioneer Maquoketa women, in the *Jackson* (Maquoketa) *Sentinel*, March 14, 1933.

History of buildings in Grinnell, by R. G. Coutts, in the *Grinnell Herald*, March 14, 1933.

Old covered bridges in Madison County, by Mrs. F. P. Hartsock, in the *Winterset News*, March 16, 1933.

Some facts about Indianola, by Don L. Berry, in the *Indianola Record*, March 16, 1933.



Pioneer remedies reported by Mrs. Sarah Jennings, in the *Dyersville Commercial*, March 16, 1933.

Sketch of the life of Gilbert N. Haugen, in the *Manly Signal*, March 16, 1933.

Sketch of the life of J. D. Edmundson, in the *Grand Junction Globe*, March 16, the *Des Moines Tribune* and the *Oskaloosa Herald*, April 18, and the *Des Moines Register*, April 18, 19, 1933.

Roads in early Iowa, by Hubert Moeller, in the *Des Moines Register*, March 20, 1933.

A thrilling horseback ride, by Ellis E. Wilson, in the *Waterloo Courier*, March 20, 1933.

Sketch of the life of Edward C. Hall, in the *Nashua Reporter*, April 12, 1933.

Historic Dubuque, by M. M. Hoffmann, in the *Dubuque Herald*, April 16, 1933.

Jeff Davis burned pioneer cabins, by J. Tracy Garrett, in the *Burlington Hawk-Eye*, April 16, 1933.

Stories of pioneer days, by Mrs. Charles Whitford, in the *Ruthven Free Press*, April 19, 1933.

Cherokee County history, in the *Cherokee Times*, April 19, 26, 27, 1933.

Story of Des Moines River land, in the *Keosauqua Republican*, April 20, 1933.

Fish and game for the pioneers, by Ed C. Volkert, in the *Dubuque Herald*, April 23, 1933.

Simpson S. White's cabin, by J. Tracy Garrett, in the *Burlington Hawk-Eye*, April 23, 1933.

Sketch of the life of T. F. Griffin, in the *Des Moines Register*, April 23, 1933.

- Mrs. William Milchrist relates early struggles of the Sioux City community house, in the *Sioux City Journal*, April 24, 1933.
- Company A of Keokuk in the Spanish-American War, in the *Keokuk Gate City*, April 25, 1933.
- Sketch of the life of Boyd F. Read, in the *Indianola Herald*, April 27, 1933.
- W. D. Jamieson of Shenandoah chosen U. S. patent commissioner, in the *Shenandoah Sentinel*, April 27, 1933.
- History of New Providence in Hardin County, in the *Marshalltown Times-Republican*, April 27, 1933.
- Sketch of the life of Mrs. Lena Nipp, in the *Monticello Express*, April 27, 1933.
- Display of pioneer articles features Iowa history week, in the *Volga City News*, April 27, 1933.
- Dubuque militia left for Spanish-American war in 1898, in the *Dubuque Telegraph-Herald*, April 27, 1933.
- Milestones in Burlington history, by J. Tracy Garrett, in the *Burlington Hawk-Eye*, April 30, 1933.
- Mrs. Isaac L. Hillis conceived idea of Child Welfare Research Station at University of Iowa, by Dorothy Pownall, in the *Des Moines Register*, April 30, 1933.
- Dogs in pioneer Iowa, by G. Perle Schmidt, in the *Des Moines Register*, April 30, 1933.
- Some early Iowa editors, in the *Marshalltown Times-Republican*, May 1, 1933.
- Cherokee County History, by A. R. Molyneux, in the *Cherokee Times*, May 2, 3, 1933.
- Harrison Taft recalls Civil War battles, in the *Dubuque Telegraph-Herald*, May 3, 1933.
- Virginian presents Fort Madison with railroad bonds dated 1855, in the *Fort Madison Democrat*, May 3, 1933.



A. J. Ludwig has picture of Toledo taken in sixties, in the *Toledo Chronicle*, May 4, 1933.

Ocheyedan Mound, by Earl E. Martin, in the *Ocheyedan Arrow*, May 4, 1933.

Central Iowa one hundred years ago, by Ida M. Street, in the *Oskaloosa Herald*, May 5, 1933.

Samuel J. Kirkwood was warm friend of University of Iowa, in the *Iowa City Press-Citizen*, May 5, 1933.

Nellie V. Field, former Moulton resident, now noted advertiser, in the *Centerville Iowegian*, May 5, 1933.

Sketch of the life of Luther A. Brewer, in the *Des Moines Tribune*, May 6, 1933.

James M. Sexton has John Brown gun, in the *Le Mars Globe-Post*, May 8, 1933.

Colonel R. G. Scott wrote book on "Indian Romances", in the *Washington Journal*, May 8, 1933.

Genealogical record of Poweshiek County, by Mrs. F. R. Porter, in the *Grinnell Herald*, May 9, 16, 1933.

Sketch of the life of Reuben E. Stump, in the *Marshalltown Times-Republican*, May 9, 1933.

Anthony F. Klinkner edited amateur newspaper, in the *Dyersville Commercial*, May 11, 1933.

Madrid missed chance to be county seat, in the *Madrid Register-News*, May 11, 1933.

Pioneer hardships, by Hattie P. Elston, in the *De Witt Observer*, May 11, 1933.

Religion and education in Iowa, by J. S. Nollen, in the *Grinnell Herald*, May 12, 1933.

Genealogical information, by Mrs. F. R. Porter, in the *Grinnell Herald*, May 12, 26, 30, July 25, 1933.

First residents of Harrison County, by Heinie Miller, in the *Mohawk Valley Times*, May 13, 1933.

Reprint of history of Dubuque County, published by the Western Historical Company, in the *Dubuque Herald*, May 14, 17, 21, 23, June 6, 16, 21, 22, 25, 28, 30, July 5, 6, 7, 19, 20, 21, 22, 1933.

Sketch of the life of W. S. Baird, in the *Council Bluffs Nonpareil*, May 14, 1933.

Sketch of the life of Dr. Channing Longshore, by Helen Brock, in the *Sioux City Journal*, May 14, and the *Sheldon Sun*, May 17, 1933.

E. D. Allen was decorator of Sioux City corn palace, in the *Le Mars Sentinel*, May 16, and the *Sioux City Journal*, May 21, 1933.

Sketch of the life of J. W. Bettendorf, in the *Davenport Democrat*, May 17, 1933.

Railroad celebration at Lansing in 1872, in the *Lansing Journal*, May 17, 1933.

Iowa as it was in 1856, a review of the book by Nathan H. Parker, by Hattie P. Elston, in the *Chariton Herald*, May 18, 1933.

Families and history of Washington County, by Mrs. C. A. Speer, in the *Washington Democrat-Independent*, May 18, 25, June 1, 8, 15, 22, 29, July 6, 13, 20, 1933.

The Beal family, by W. M. Beal, in the *Washington Democrat-Independent*, May 18, 25, and the *Washington Journal*, May 20, 1933.

The Davenport and Iowa City Railroad Company, in the *Iowa City Press-Citizen*, May 19, 1933.

Guide post to Reel's Mill, in the *Missouri Valley Times*, May 20, 1933.

Sketch of the life of Harry O. Weaver, in the *Davenport Democrat*, May 28, the *Burlington Gazette*, May 29, and the *Wapello Republican* and the *Columbus Junction Gazette*, June 1, 1933.



Mrs. Merrit Currier came to Bradford in 1854, in the *Nashua Reporter*, May 24, 1933.

Chesla C. Sherlock becomes part owner of the *Marshalltownian* in the *Marshalltown Marshalltownian*, May 25, 1933.

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## HISTORICAL ACTIVITIES

A five volume encyclopedia of Michigan is being prepared under the direction of George N. Fuller. The general narrative history of the State will be supplied by Milo M. Quaife and Raymond T. Miller.

The Missouri Historical Society held its annual dinner commemorating the Louisiana Purchase on May 1, 1933. President Isaac H. Lionberger made a brief address after which a film of the St. Louis World's Fair of 1904 was shown.

A collection of miscellaneous material relating to Mississippi River history has come into the possession of the library of Knox College at Galesburg, Illinois. The literature is the gift of the late Preston Player, of New York, and comprises 325 books, 35 maps, and 60 or more prints.

The archeological collection of the State Historical Museum of Wisconsin has been enriched by the receipt of a large number of Indian implements belonging to the late Andrew S. Mitchell. The collection consists of several thousand clay, stone, bone, lead, and copper implements and ornaments collected largely from Indian village sites, graves, and mounds.

The Minnesota Historical Society held its eighty-fourth annual meeting at St. Paul on January 16, 1933. The annual conference on local history work formed the opening session. Judge William E. Scott presented the matter of marking historical sites, now undertaken by the *Minnesota Historical Survey*. Herman Roe suggested county newspaper collections, also calling attention to the fact that the wood pulp paper of which modern newspapers are printed will not last a hundred years. Ernest S. Osgood discussed community history study, William S. Culkin talked on local history in the schools, Grace Lee Nute described the possibility of county archives work, and Theodore C. Blegen described

work with church records. The luncheon program included a paper by Frank I. Herriott of Drake University, on "Lincoln's First Nomination for the Presidency"; "Civil War Years in Shakopee", by Julius A. Coller; and "A Judge Looks at History", by Judge Haycraft. The afternoon session included a paper on "Family Life in Pioneer Minnesota", written by Ida Pickett Bell and read by Victor G. Pickett. The chief speaker at the evening session was August C. Krey, who spoke on "History in the Modern World".

#### IOWA

The history of Woodbury County was depicted in a pageant given by farm women at Anthon on June 1, 1933.

Mrs. Louis Pelzer and Miss T. Gail Kern have recently completed historical maps of Burlington and Dubuque. A similar map of the State of Iowa is now being prepared.

The Howard County Historical Society held a monthly meeting at Cresco on June 12, 1933. Reverend A. Robertson gave a sketch of "Pioneer Days in North Central Iowa".

On June 4, 1933, Luther College dedicated the Norwegian-American Historical Museum Building, containing materials illustrative of the Norwegians. Dr. Knut Gjerset is the Curator.

June 15, 16, and 17, 1933, were the dates of the celebration of Boone's ninety-eighth anniversary. Boonsboro, now called West Boone, was founded by William Boone, a nephew of Daniel Boone.

The Ladies Library Association of Mt. Pleasant sponsored an historical pageant given at the college chapel on June 28, 1933. The part of Black Hawk was taken by C. W. Cruikshank, whose grandparents had known the chief.

An association, called the "Dan" Winget Memorial Association, has been formed to commemorate the life and work of DeWitt Harris Winget, friend and companion of Colonel W. F. Cody, and author of *Anecdotes of Buffalo Bill*. Earl A. MacLennan of Clinton, Iowa, is the secretary.

The twentieth annual picnic commemorating the first furrow



turned in Madison Township, Jones County, was held on the J. M. French farm on June 3, 1933. The location of the furrow is marked by a granite monument, inscribed with the name of the plowman, John Bender, and the date, June 4, 1852.

The Historical Society of Webster County sponsored an old settlers picnic at Fort Dodge on June 24th. J. P. Dolliver gave the principal address. The following officers were elected: E. E. Cavanaugh, president; E. H. Peschau, vice president; Miss Jennie Pollock, secretary; and Mrs. Carrie Drake, treasurer. Miss Maude Lauderdale was reappointed curator of the museum.

The city of Davenport is celebrating the centennial anniversary of its founding. June first was Black Hawk Purchase Day, commemorating the transfer of land to the Federal government. June third was Scott County Day, honoring the pioneers. June seventh was Fort Armstrong Day, June fourteenth was Antoine Le Claire Day, and June twenty-fourth was set aside in honor of Colonel George Davenport, the founder of Davenport. A feature of the celebration on the first of June was a radio address on the Black Hawk Purchase, by John C. Shenk. On June 13th Edward K. Putnam gave an address on Antoine Le Claire, over Station WHBF. The address on Fort Armstrong was by Captain John W. Slattery of the Rock Island Arsenal. Antiques of various kinds were displayed at the Le Claire house.

The main feature of the Muscatine centennial celebration during the week of June 25-29, 1933, was the pageant held for three nights depicting the history of Muscatine through three periods: the fur trade period; the logging and lumbering period; and the pearl button industry. At the close of the pageant greetings were read from distinguished men once resident in Muscatine, among whom were Ellis Parker Butler, George Grey Barnard, George Meason Whicher, and Lee DeForest. Civic, religious, and patriotic organizations of the city coöperated in the week's festivities which included, besides the historical pageant, a parade of floats, a pageant of religious scenes, a Venetian parade on the Mississippi River, motor boat races, and drum corps contests. Governor Clyde L. Herring was present on June 28th to give an address.

## HISTORICAL SOCIETY OF IOWA

Some thirty volumes of the publications of the State Historical Society of Iowa are on display in the Iowa exhibit of the Century of Progress.

The State Historical Society has recently issued *The Legislation of the Forty-fifth General Assembly of Iowa*, compiled by Jacob A. Swisher and Ruth A. Gallaher. This is the fifth number in the *Monograph Series*.

Dr. Charles R. Keyes was one of the speakers at the central session of the American Anthropological Association at Chicago in April, 1933. His subject was "A Division of the Iowa Archaeological Map".

Dr. William J. Petersen, research associate in the State Historical Society, is in charge of an historical tour through the east, south, and Canada from July 21 to August 25, 1933. The tour is sponsored by Drake University and lectures will be given at various places visited.

The following persons have recently been elected to membership in the Society: Miss Florence D. Beenk, Cedar Rapids, Iowa; Mr. Myron L. Koenig, Vinton, Iowa; Miss Clara L. Cowgill, Villisca, Iowa; Mr. Edwin D. Mitchell, Council Bluffs, Iowa; Mr. Wm. E. Mitchell, Jr., Council Bluffs, Iowa; Mr. W. J. Parizek, Iowa City, Iowa; Mr. Richard H. Roberts, Iowa City, Iowa; Miss Florence G. Sweet, Waverly, Iowa; Mrs. Virginia Bedell, Spirit Lake, Iowa; Mr. L. J. Dickinson, Algona, Iowa; Mr. G. L. Gunnerson, Storm Lake, Iowa; Mrs. O. H. Hall, Iowa City, Iowa; Mrs. J. Harold Horan, Cedar Rapids, Iowa; Miss T. Gail Kern, Riverside, Iowa; Miss Eileen King, Sioux City, Iowa; Mr. M. Willard Lampe, Iowa City, Iowa; Mr. W. P. Lemon, Iowa City, Iowa; Mr. Thos. E. Martin, Iowa City, Iowa; Mr. P. C. Packer, Iowa City, Iowa; Mr. Roy R. Robinson, Oskaloosa, Iowa; Mr. H. E. Spangler, Cedar Rapids, Iowa; Dr. Zella White Stewart, Iowa City, Iowa; Mr. Wilber J. Teeters, Iowa City, Iowa; Dr. Andrew H. Woods, Iowa City, Iowa; Mr. L. F. Cerny, Iowa City, Iowa; Mr. Lee H. Clearman, Lindsay, California; Mr. Russell A. Hult, Davenport, Iowa;



Mr. Floyd A. Nagler, Iowa City, Iowa; Mrs. Olive Cole Smith, Mt. Pleasant, Iowa; Mr. Hubert Coffey, Wellman, Iowa; Mrs. John M. Fisk, Iowa City, Iowa; Mrs. Rolland E. Heywood, Peterson, Iowa; Miss Mae C. Hogan, Monticello, Iowa; Mr. Lee A. McCollough, Springville, Iowa; Miss Amelia H. Rhynsbarger, Sioux City, Iowa; Miss Gayle Schroeder, Williamsburg, Iowa; and Miss Esther MacDowell Swisher, Iowa City, Iowa. The following have been enrolled as life members: Mr. John Merkle, Glendale, California; Mr. Walter F. Dickinson, Jerico, New York; Mr. D. A. Emery, Ottumwa, Iowa; Miss Ruth A. Gallaher, Iowa City, Iowa; Mr. Harry E. Hull, Washington, D. C.; Miss Althea R. Sherman, National, Iowa; and Mr. A. L. Urick, Des Moines, Iowa.

## NOTES AND COMMENT

Cedar Falls celebrated its eightieth anniversary on August 10 and 11, 1933. A music festival was one feature of the celebration.

The American Legion Auxiliary unit of Audubon has compiled complete records of the war service of a large percentage of its men.

The house near Le Claire, Iowa, in which William F. Cody was born, has been purchased by the Chicago, Burlington and Quincy Railroad, taken down in sections, and transported to Cody, Wyoming.

The American School of Wild Life Protection held its fifteenth annual session at McGregor Heights from July 29 to August 12. Lecturers included Dr. I. E. Melhus, Mr. Charles R. Keyes, Dr. M. R. Gilmore, Dr. George F. Kay, and Dr. S. M. Deitz.

The Northeastern Iowa National Park Association is making plans for the purchase of three tracts of land on which are Indian mounds. Walter H. Beall of West Union is president of this Association and H. S. Rittenhouse of Monona is the secretary. Any lands purchased will be turned over to the Federal government for preservation as national monuments.

The fifth annual meeting of the Iowa Society of Mayflower Descendants was held at Grinnell on April 29, 1933. A gavel made of pieces of wood from Plymouth Colony's trading post, the frigate "Constitution", and the Washington elm was presented to the Society by Mrs. L. B. Schmidt. President J. S. Nollen of Grinnell College gave the convention address. Mrs. George L. Owings of Marshalltown was chosen governor, and Mrs. A. L. Kout of Nashua, secretary.

Luther A. Brewer, former publisher of the *Cedar Rapids Republican*, died at Cedar Rapids on May 6, 1933. He was born at Welsh



Run, Pennsylvania, on December 17, 1858, and first came to Cedar Rapids in 1884. Mr. Brewer was interested in politics as well as printing, but his chief interest in later years was his extensive private library and his Leigh Hunt collection.

The Upper Iowa Conference of the Methodist Church held its seventy-eighth session at Dubuque on June 21, 1933, and at the same time celebrated the hundredth anniversary of the coming of the first Methodist circuit rider to Iowa. The Ida Grove Methodist Church observed its seventy-fifth anniversary on May 14th. Dr. R. Diffendorfer gave two sermons and Dr. G. C. Moorehead and R. L. Butcher read papers on early church history. The Methodist Episcopal Church at St. Charles also commemorated its seventy-fifth anniversary, on July 30th. This church has had forty-two pastors. The church at South Bethel, near Tipton, observed its ninety-eighth anniversary on July 16, 1933.

Charles Kimball Meyers, who contributed the Denison letters printed in the January and April numbers of the IOWA JOURNAL, died at his home in Denison on March 19, 1933. He was born in Germantown, Ohio, on November 1, 1859, the son of J. Fred and Emma Kimball Meyers, and came to Iowa in 1873. He was admitted to the bar but preferred newspaper work, serving on the *Denison Review*, the *Mapleton Press*, and the *Mason City Republican*. A special Sunday School column, furnished gratis to a number of weekly papers for more than a third of a century, was one of his many contributions to the good of the community. He was also interested in Iowa and local history, an interest which he shared with his brother F. W. Meyers, the author of a *History of Crawford County Iowa*, published in 1911.

The schoolhouse in which Herbert Quick attended school has been moved to Orion Park, Grundy Center, as a memorial to the famous Iowa writer. It was dedicated on July 4, 1933. Dr. Frank L. Mott, head of the School of Journalism at the State University at Iowa City, gave the dedicatory address on the significance of Quick's pioneer trilogy of novels. Edward C. Quick, a son, was among the visitors. Mr. D. R. Earl, superintendent of Grundy

County schools, who is said to have suggested the memorial, made the presentation speech. A number of antiques belonging in such schoolhouses have been donated. Jay G. Sigmund sent a poem, "He Walked These Very Fields", which was read at the program as were two other poems, "Herbert Quick", by Mackinlay Kantor, and "Prairie Saga", by Don Farran.

Gilbert N. Haugen, for thirty-four years a member of the House of Representatives at Washington, died at Northwood, Iowa, on July 18, 1933. Mr. Haugen was born in Rock County, Wisconsin, in 1859, and moved to Winneshiek County, Iowa, in 1873. He attended the public schools and Breckenridge College at Decorah, and a commercial college at Janesville, Wisconsin. He was a member of the Twenty-fifth and Twenty-sixth General Assemblies of Iowa, and was elected as Representative to the Fifty-sixth Congress in 1898, where he served continuously until March 4, 1933. Congressman Haugen was widely known as a staunch supporter of agricultural interests and was a co-author of the McNary-Haugen Bill.

In March, 1898, Robert G. Cousins, Representative in Congress from the Fifth Congressional District of Iowa, delivered his famous speech on the Maine disaster. Born near Tipton, Iowa, on January 31, 1859, Cousins had graduated from Cornell College and then studied law in the office of Colonel Charles A. Clark of Cedar Rapids. After beginning law practice at Tipton, Cousins entered politics and was elected to the Iowa House of Representatives in 1885 and in 1892 he was elected Representative in Congress, serving until 1909 when he refused to be a candidate and retired to his library at Tipton, where his books, music, an occasional speech, and the "poison that lurks in the heart of a grain of corn" claimed much of his time until his death on June 19, 1933. A short sketch of his career, by Virginia Maxson, appeared in *The Palimpsest* for July, 1933.



## CONTRIBUTORS

RUTH AUGUSTA GALLAHER, Associate Editor of the State Historical Society of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, for January, 1916, p. 156, and October, 1931, p. 604.)

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